

Human Rights Charter is adapted from
the Farewell Sermon Section
by Section.

خطبة الحجة والوداع
موق البشر في خير

THE GREATEST BENEFACTOR OF MANKIND AND HUMAN RIGHTS

By

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This English translation is a faithful rendering of Doctor Hafiz Muhammad Thani's work.

The learned Doctor is the worthwhile son of Doctor Abdul Haleem Chisti.

This book answers forcefully the criticism of orientalist who spare no opportunity to accuse Islam of Human Rights violation. But, infact, Islam itself determined Human Rights and the Prophet's ﷺ life is an example of its working.

The Universal Declaration of Human Rights is plagiarised from the sermon of Hajjat ul Wada which the Prophet ﷺ gave us 1400 years ago. The sermon is taken point by point and compared with the Charter.

May Allah reward the author for his untiring efforts in this regard.

We have always occupied ourselves in presenting scholarly books on Islamic subjects and have been in the forefront in the field of seerah too.

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By
Dr. Hafiz Muhammad Thani

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The teachings of Allah's Final Messenger ﷺ are far from being only were slogans. All of his dealings bore witness to the fact that only such a philosophy of life or ideology is sound which is implementable by and applicable to the public at large and each and every individual in particular.

In the present age there is a lot of noise being made all over the world with regards to the rights of man. Various efforts have been made to create public awareness about human rights. Several institutions have been established for this purpose which seems to be nothing else but the attempt to give the theory of human rights the status of a religious in comparison to which none of the well-established religious, especially Islam has got a standing. The teachings of Islam however are complete in all aspects and they for all the times to come, constitute a perfect code of life, fully implementable and practicable. These teachings were not limited to any particular nation or people speaking a particular language, nor was there any distinction regarding the class of people. Therefore the teachings of Islam are truly universal a fact to which the entire span of life of Allah's Final Messenger ﷺ bears witness. Islam itself established the true rights of man and the Messenger of Islam ﷺ left behind very definite instructions to this point.

Unfortunately the people are little aware of the religious injunctions and the pure life of the Holy Prophet ﷺ, so they are easily impressed by the ways of other nations, each foreign ideology looks to them like a panacea for all the ills befalling humanity. Now if one looks a bit closer then one comes automatically to the conclusion that many of the points mentioned in the Universal Declaration of the Rights of Man are the essence of what the Greatest Benefactor of Mankind ﷺ presented the Muslim Community already 1400 years ago, in his legendary

sermon of his Farewell pilgrimage.

Mawlana Dr. Hafiz Muhammad Thani, son of Dr. Abdul Haleem Chishti has done extensive research on the angle of human rights in the Seerat of the Holy Prophet ﷺ. The outcomes of his hard work are given in this book.

Whatsoever objection biased orientalist and critics had raised against Islam with regard to human rights, the learned author succeeded in answering them in a most scholarly manner, defending Islam and in exposing the bigotry of certain critics. By going point-by-point through all the injunctions given in the Holy Prophet's ﷺ Khutbah and comparing them with the Charter of the United Nations he proved that all western documents concerning human rights, including the United Nations Charter of Human Rights are nothing but conjecture and wishful thinking. He also showed how due to heavy propaganda, the Muslims were made to feel inferior and how they were made to accept the western world as the true champions of human rights.

May Allah abundantly reward this effort of the learned author. Ameen

By the Grace of Almighty Allah a number of works on so splendid a topic as the life of the Holy Prophet ﷺ, like

“Seeratun-Nabi” in seven volumes

“Seeratul – Halbiya in six volumes

“Rahmatul-lil-alemeen” in three volumes

have been published by our institution; this book in your hands is a precious addition to that list.

Let us pray to Allah that He accepts our efforts in this world and in the next and that He grants us sincerity in all our deeds and death on true faith. Ameen.

Publisher

Khaleel Ashraf Uthmani

S/O Muhammad Razi Uthmani

DEDICATION

This work is dedicated to the Greatest Benefactor and Guider to the right path, leader of Arabs and non-Arabs alike, our beloved Holy Prophet ﷺ, who was the very first to illuminate the dark history of mankind with the unprecedented declaration of human rights which he presented in his famous *Khutba Hajjatul wida*.

This sermon of our most beloved Rasool ﷺ is without doubts the very first declaration of human rights holding the status of eternal superiority, unmatched comprehensiveness and universal applicability above all other so called bills of rights and declarations of rights.

TRANSLATOR'S NOTE

All praise is for Allah, who enabled me to translate this book from Urdu to English both not being my mother tongue.

This was my first effort in this direction and on such large scale, so it goes without saying that it was a difficult job, but what could be a greater motivation than the love of Allah and His beloved Messenger ﷺ. Exactly this love kept me going whenever I thought of giving up.

Here I also ought to mention my indebtedness to my dear husband who unselfishly assisted me through all stages of this work and who never ceased to give me moral support. May Allah give him an excellent reward in return. Ameen.

Translations are never a true reflection of the original work. Same is the case with my effort. Since many of the references were not available in English, some works needed to be re-translated from Urdu to English and the names of some authors had to be transliterated; this must have resulted in a number of mistakes which I beg to be forgiven.

I pray to Allah that He makes us understand the beauty of our religion, that He gives us the strength to live in accordance with it and that He will not let us die unless with perfect faith. May Allah give all the Believers steadfastness and piety and may He grant faith to all those who have not believed yet. *Ameen.*

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FOREWORD

Maulana Dr. Muhammad Abdul Haleem Chishti

M.A M.L.S P.h.D

Jamia Uloom Islamia Karachi.

Out of all what Allah created, he chose in his infinite wisdom and mercy the offspring of Hazrat Adam عليه السلام to be his vicegerents on earth. The angels have been ordered to prostrate before Hazrat Adam عليه السلام, and he who refused to submit to the Divine Decree has been cursed forever. Allah bestowed physical strength and intellect on man, made the whole planet subject to man, and gave him permission to benefit from all that is on earth. These are the favours with which Allah has been preferring mankind over the rest of his creation. Allah has done this, so that man may live according to the Divine Orders, that he may spend his life as a good servant of the real Sovereign, that he may set an end to all kinds of oppression evil, mischief monging and conspiracy, and that he may spend his limited time on earth in peace and security.

To realise this goal, Allah has sent to every nation a Prophet عليه السلام and Guide, and He sent down books which contains his orders and decrees. Whenever some of Hazrat Adam's عليه السلام offspring left these pure teachings aside, and became rebellious instead of being good servants of Allah, whenever they considered themselves as the most superior then the real Master of the universe sent such a scourge on them which obliterated them completely. The people of Ad, Thamood, the people of Hazrat Lut عليه السلام, who were the most advanced and prosperous nations of their times and who were utterly defeated and destroyed serve as illustration of this fact. The world order as represented by Firawn and Haman and Shidad was annihilated completely and their fate is a warning to mankind for all times to come.

The Mercy for the Worlds عليه السلام has been sent to help and guide mankind for all times to come, on him the Holy

Qur'an has been sent down, which contains all what is necessary for success in both worlds. Whoever accepts the Seal of Prophethood ﷺ as messenger and believes in what has been sent down on him and obeys the sacred teaching may rightly call himself a believer.

In the book "Great Religions of the World" Islam has been described as follows:

"Islam is a Religion of submission to the will of Allah in accordance with the principles laid down in the Holy Qur'an and Sunnah."

Acc to the Holy Qur'an and the Sunnah, Islam is the name of Allah's good will and pleasure. To turn away from the sacred Shariat and the Sunnah of the Holy Prophet ﷺ is impermissible, because it is against the very essence of faith. In the Holy Qur'an is stated:

فَلَا وَرَبِّكَ لَا يُؤْمِنُونَ حَتَّىٰ يُحَكِّمُوكَ فِيمَا شَجَرَ بَيْنَهُمْ
ثُمَّ لَا يَجِدُوا فِيْٓ أَنفُسِهِمْ حَرَجًا مِّمَّا قَضَيْتَ وَيُسَلِّمُوا
تَسْلِيمًا *

"But no, by your lord, they can have no faith until they make you (oh Muhammad ﷺ) judge in all disputes between them, and find in themselves no resistance against your decisions and accept them with full submission."

In this Ayat three characteristics of a true believer have been stated.

1. To accept the Holy Prophet ﷺ as judge and ruler.
2. Not to feel dejected at any of his decisions.
3. To accept his decisions happily.

In the exegesis of "they make your judge" Qadi Shawkani writes the following:

يجعلون حكما بينهم في جميع امورهم لا يحكموك احدا
غيرك

(محمد بن على شوكانى، فتح القدير بين فنى الرواية والدراية من علم التفسير، القاهرة، مصطفى البابى
الحلى ١٣٣٩هـ/ج ٦ ص ٤٤٧) •

"Muslims accept you ﷺ as their judge and ruler and do not accept anyone besides you ﷺ as their judge and ruler."(1)

Anyone who makes a decision against the Holy Quran and the Sunnah, against wahy jalli wa khufi i.e the direct and indirect revelation has been called in the Holy Quran mischiefeous and rebellious:

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الْفَاسِقُونَ*

"And whosoever does not judge by what Allah has revealed, (them) such (people) are disobedient to Allah."

(surah 5, 47 vers)

In another Ayat they have been clearly termed as disbelievers".

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الْكَافِرُونَ*

"And whosoever does not judge by what ALLAH has revealed, such are disbelievers."

(surah 5, 44 vers)

The world derived tremendous benefit by the blessings of those truthful and pious people who lived according to the teachings of the most sacred Messenger of Allah ﷺ and it became an abode of peace and security to such an extent, that a tiger, a leopard, a lamb and a goat were having water from the same cistern at the same time without attacking each other.

After the Leader of Both Worlds ﷺ proclaimed this unprecedented and revolutionary constitution he gave those who act upon it the glad tidings of the perfection of religion, the completion of favour and divine pleasure along with the good news of success and welfare in both the worlds.

Therefore it has been stated in the Noble Qur'an:

الْيَوْمَ أَكْمَلْتُ لَكُمْ دِينَكُمْ وَأَتِمَمْتُ عَلَيْكُمْ نِعْمَتِي
وَرَضِيتُ لَكُمُ الْإِسْلَامَ دِينًا

"This day, I have perfected your religion for you, completed my favours upon you and chosen Islam for you as your religion."

(surah 5, 3. vers)

In the Sahih Bukhari is found one tradition which gives an account of the reaction of some Jewish scholars after hearing this blessed Ayat.

Hazrat. Tariq bin Shahab ؓ (demised 82/83 A.H) narrates that some Jews were present with Hazrat Umar Farooq ؓ, and they said; "Yaa Ameerul-Muimineen, had this Ayat been sent down on us, we would have made the day of its revelation a day of festivity (Eid)" Upon this Hazrat Umar Farooq replied " This Ayat was sent down during the Farewell-Pilgrimage of the Holy Prophet ﷺ, on the day of Arafat, after Asr prayers in the presence of some 40.000 sahaba(2),(3) thereafter the Holy Prophet ﷺ remained alive for 81 more days.(4) And during this period no Ayat regarding Halal and Haram has been sent down.(5) From this becomes clear that the religion is complete and perfect.

Dr. Hafiz Muhammad Thani (may Allah prolong his life and give him tawfeeq to serve religion and to do more good needs) inspects the Seerat of Allah's Messenger ﷺ from different angles. This first series was published under the title "tajalliat-e-seerat", the second under the title "*Rasool Akram ﷺ aur Rawadāri*" and the third under the title "*Muhsin Insaniyat ﷺ aur Insani huqooq*" In the last series he proves how the Holy Prophet ﷺ, who is the greatest well-wisher and benefactor of mankind has provided in the famous khutbah of his last Haj a very encompassing charter which safeguards all human rights. This is without any doubt a very important and outstanding point of the biography of the Holy Prophet ﷺ with regard to the subject of Human rights.

The whole book is a historical and critical study of human rights as stated in the Khutba Hujjatul Wida and as presented by the west. Some points which have been treated in this book are enlisted below.

1. The *Khutba Hajjatul Wida*
2. The importance and significance of this *Khutba* .
3. The Prophet ﷺ of Islam and human Rights.
4. A comparative study of the human Rights presented in the Khutba and of rights which were the outcome of western philosophies and theories.
5. The west and human rights, a historical and critical study.
6. The UN-charter of Human Rights.

7. The ever lasting and unequalled declaration of the rights of man as presented in the Khutba Hajjatul wida.
8. Rights of women mentioned in the Khutba .
9. Rights of slaves as mentioned in the Khutba
10. A historical study of the beginning and evolution of slavery in the west.
11. Call towards establishment of a worldwide Muslim brotherhood and announcement of the rights connected therewith.

It will not be inappropriate to say that this is the first book of its kind in Urdu language which presents this important aspect of the Holy Prophet's ﷺ Seerat in such a scholarly, well-researched and comprehensive manner.

We pray to ALLAH, that He accepts this effort of the author, that he makes it a means for shafaat and treasure of thawab in the hereafter, for the author, the editor, publisher, translator and all those involved in the distribution and circulation of this book. *Ameen.*

وَصَلَّى اللّٰهُ تَعَالٰى عَلَى خَيْرِ خَلْقِهِ مُحَمَّدٍ وَّآلِهِ وَأَصْحَابِهِ
وَأَهْلِ بَيْتِهِ أَجْمَعِينَ ؕ

*Maulana Doctor Muhammad
Abdul Haleem Chisti*

Jumatul Mubarak

7. Zil Hajj 1419 corr. to

26 March 1999 C.E.

Karachi .

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

PREAMBLE

The greatest constitution ever was presented to mankind by the greatest Benefactor of mankind, the teacher of Arabs and non-Arabs, Hazrat Muhammad Mustafa, Ahmed Mujtaba ﷺ in the year 632 C.E. He declared it during his famous Khutbah Hujjatul Wida. To say that this speech of the Holy Prophet ﷺ is the first most comprehensive, revolutionary and implacable declaration of human rights ever is not in the least exaggerated. In no way whatsoever has this speech been the outcome of any political fancies or social circumstances prevalent at that time. Rather it is the final and perennial message of the very first upholder of human rights, the crown of mankind, the greatest Benefactor of mankind ﷺ in which rights and duties of humans have been clearly stated.

From the historical point of view this declaration of human rights as made by the Holy Prophet ﷺ is the first of its kind, and it is because of the practicability of its legal injunctions far preferable above other declarations. It is the first bill of the rights of men. It set an end to enmity, lawlessness, injustice, oppression, violence, exploitation and tyranny at such a time when mankind was steeped into pitchblack darkness. This Khutba has, in other words, been the first "New World Order".

The so-called upholders of human rights living in the present age have, after long and painstaking research, declared the Magna Charta, to be the starting point in the history of human rights. The Magna Charta which Dawletier called the "Declaration of freedom" and which the west unanimously accepts as a tremendous achievement towards the rights of man was signed on 15 June 1215. The western movement of human Rights which began in the 13th century finally culminated in the 20th

century with the United Nation's Declaration of the Rights of Man as presented on 10 December 1948.

What argument could now be left to counter the fact that declaration of the rights of man as it was made by the Guide for the whole world, the leader of Arabs and Non-Arabs, the Greatest Benefactor of Mankind ﷺ in his famous Khutbah is indeed enjoying the status of being the first of its kind and the most perfect and excellent for all times to come. This charter is valid till the world will perish, and it is a code of life for all people from all kinds of background.

The self-made and divinely unsanctioned declarations of human rights of the western world are subjected regularly to change, abrogations and increments depending on political circumstances and the demands of time. This fact should suffice to prove the faultiness of those declarations.

No human action, whether performed individually or on social level, is free from blemish, therefore anything made by humans cannot be universally applicable. This reality we are made to witness every day and every night. The words and deeds of those self-proclaimed upholders of human rights are in sharp contrast with the real rights of man. As a result of this the true meaning of the noble word "freedom" has become distorted, and the very essence of the dignity of man has been polluted.

The well known scholar and columnist Dr. Mahmood writes in his essay "Western Media, Human Rights, and We" (Jang, Edition, 22 Jan. 1993.) the following:

"From time to time western media release such news items whose sole purpose is influencing our minds and turning our thoughts into a certain direction. It should be well remembered that this is not the age of physical slavery any more but rather of mental slavery. In the past the weaker nations were conquered by soldiers, and the native inhabitants were sold as slaves, or the countries were colonized. In both cases western traders benefited tremendously from their defenseless victims.

During this time of shamelessly exploiting the less advanced countries, there was nowhere even the mentioning of human rights, because the very philosophy

of human rights was not only against the colonial interests but rather implied a prohibition of colonialism in itself.

For centuries the western trade and industry thrived due to those colonies.

Only when the subjected nations started revolting against their masters and the colonial powers were forced to set the enslaved nations free, the idea of something like dignity of man and the basic rights of man sprouted up in their minds.

All over the globe came into being assemblies for the preservation of human rights, and those who once considered subjected people of less value than even animals, became now within a few year the foremost standard bearers of human rights.

Saying that the same old hunter has come out now with a new net is quite appropriate in this connection.

What those so called promoters of human welfare, friendship, sympathy and justice have actually achieved can be seen in the outcomes of the First and Second World War, the more recent wars in Bosnia, Chechnya, Gulf region, Rwanda and many others.

So horrendous crimes against mankind have been committed by those advanced nations, that finding something comparable even in the very darkest eras of world history is difficult. The following fact can also not be denied, that those nations who make nowadays so artfully and deceitfully much ado about human rights, are also the foremost in sucking the marrow out of mankind's bones.

Those who make Islam, the Islamic code of life, the followers of Islam, and above all the Messenger of Islam, our beloved Holy Prophet Muhammad ﷺ object of their criticism with regard to human rights, are doing so only for the sake of diverting attention from their own evil deeds in the past. The Mercy for the Worlds ﷺ presented such a beneficial constitution and declaration of human rights in his Khutbah Hujjatul Wida, which has so far not been equalled by any other declaration yet. Moreover he did that at a time when the so called advanced nations of today were still steeped in the gutter of fraudulence, deceit cheating and all other kinds of crimes, and being very far away from

having an inkling of even the meaning of "human rights".

This fact is also verified by the famous European scholar and historian Robert Brifault who writes in his book "The Making of Mankind" the following"

"From the fifth to the tenth century Europe lay sunk in a night of barbarism which grew darker and darker. It was a barbarism far more awful than that of the primitive for it was the decomposing body of what had once been a great civilization. The features and impress of that civilization were all but completely effaced. Where its development had been fullest, e.g. Italy and Gaul, all was ruin, squalor, dissolution."(1)

Another western intellectual, J.H. Denison, wrote "During the fifth and sixth century stood the civilized world at the brink of destruction. It seemed that all the civilizations, which flourished over a period of 4000 years, were about to be destroyed and its ashes strewn in the wind. It seemed that mankind was about to return to the same kind barbarism in which every tribe every group would fight each other and peace and security were not to exist any longer."(2)

The research scholar Dr. Muhammad Hameedullah writes in his treatise "The state of the world at the time of the Rising of the last Prophet ﷺ" the following, after giving a comprehensive account of the religious, social, political, economical and cultural conditions of the major civilizations of the world:

No matter where one turned, there was only destruction, trial and mischief, a dark cloud covering up the whole world. Nowhere could be found something like high ideals, noble-mindedness or sympathetic caring for mankind.

It was time to introduce such a mode of life which is not dependent on time or space, which is free from racial preferences and which gives each individual a fair share of rights and duties enabling mankind to strive for the objective it is meant to achieve and for whose achievement it has been created."(3)

Allamah Syed Abul Hassan Nadwi writes with

reference to Thilly's history of philosophy (New York 1945) the following in "Nabi urrahmat".

"The Nations which populated the North and West of Europe were drowning in the sea of ignorance their main occupation was the fighting of bloody battles. With regard to science and arts they were far behind the civilized nations. Neither was the rest of the world interested in them, nor were they interested in the rest of world. Their bodies were dirty and their minds polluted with superstitions".(4)

The Allamah continues to describe the condition of the world in general at the time of investing Hazrat Muhammad ﷺ with Prophethood:

"When the Messenger of Allah ﷺ completed 40 years of age, the world stood at the brink of a fire pit, rather it was about to fall into it. Mankind was racing helter-skelter towards its own destruction, it was that very special time when the dawning of mankind was to be changed into a lustrous sunrise. The fortune of the ill-fated and deprived world was about to change and the time when Hazrat Muhammad ﷺ was to be endowed with prophethood, had drawn close.

It is Allah's way that whenever darkness prevails and the hearts are hardening up and dying, that He lets His infinite Mercy come in and thus blesses mankind with a new leave of life, like the airs of spring which turn desolated fields lush and green after the long winter."(5)

The Messenger of Allah ﷺ gave mankind a practical lesson on humanity during this period of darkness. He made them aware of their mutual rights and duties, he presented them the greatest, and until nowadays unmatched, in fact unmatchable declaration of human rights, the Khutbah Hujjatul Wida, the teachings of which he had already implemented in the Muslim state at Madinah, and which had become an unseparateable part of the Islamic code of life.

The Messenger of Allah ﷺ presented mankind an eternally valid constitution and charter of human rights in the form of the Khutbah Hujjatul Wida, the guideline for mankind for all times to come, granting humans equal rights without distinguishing between their colour, race or

nationality. No matter how much mankind takes pride in this everlasting constitution, it will not suffice to do it justice.

The European historian J.W. Draper writes in his work "A history of the intellectual Development of Europe" the following:

"Four years after the demise of Justinian (569), was born in the land of the Arabs in the Holy city of Makkah the person (i.e. the Messenger of Allah ﷺ) who was to influence the whole human race more than anyone else."(6)

The European scholar Robert Briffault acknowledges this historical fact in the following words:

"There is no aspect of the development of Europe which Islamic civilization did not influence and in which it did not have traces that have deeply influenced the life of humans."(7)

The French historian Golivet Castelot writes in his book "Lalot del histoire."

After the death of Holy Prophet ﷺ Muslims progressed by leaps and bounds and the conditions were very favorable for spreading Islam, At the same time Islamic civilization took great strides alongside Muslim conquests. This was evident from the progress made in the fields of arts, sciences literature and poetry and so the Arabs, for the next centuries, lead the world in all fields of sciences such as philosophy economy, chemistry, medicine and spiritual sciences. They were therefore not leaders because of being the rulers. They justified their leadership by proving their skills in all areas.

The tenure of Arab civilization was short, yet it had far reaching effects and we can only lament on the end of this civilization.

He adds in a subsequent part :

Although their mindsets were authoritative, but the results they achieved were even higher than their personalities.

As a result an amazing civilization came into existence. Europe is grateful to them for the period between 10th and 14th century C.E. When the Muslims ruled over her and

Europe was able to learn a lot from them in philosophic and scientific tinkering.

Middle ages were passively influenced by its effects. Europe had nothing to match with the Arabs civilization, its advancement in the fields of science, art and literature. It benefitted greatly from this healthy environment which was created through Arab influences. In those four centuries there was no other civilization except for the Arab civilization and it was the Arabs who led this civilization.(8)

"Islam invented Science. Nor greeks, nor Romans started modern Science. Islam has achieved what no other civilization had developed and had been able to do. The Muslim scholars were the torch bearers of civilization and culture. Their activities in studying science and arts exceeded those of any other nation. The Christian world was therefore compelled to seek training from the only source available at the time of illuminating their minds, the works of Arabian writers and the Muslim world."

Robert Briffault writes:

There is not single aspect of European progress which did not benefit from Islamic civilization and the credit of which cannot be attributed to Islam.(10)

He further writes:

It was not just the science of physics, which gave life to Europe, in fact the overall contribution of Arabs is tremendous, having affected life in Europe in more than one way. And this began with the first ray of Islam falling on the face of Europe. Now we also have to analyse what today's Europe was like at a time when Islam was at its zenith.

Europe in those days was going through an age of ignorance and its ignorance did not last a few years, it lasted 800 years, when every scientific or cultural progress was at a halt. This period began in 486 and lasted till approximately 1495C.E.(11)

Famous English author H.G. Wells portrays this period as under:

"Science and politics had been put to eternal sleep in these falling empires. All the latter philosophers of

Athens till their own destruction (which was imposed on them) preserved the ancient literary treasures with deep attachment but without having any knowledge, yet there existed no more any noble group of people which would have attempted to propagate research of ancient literature and freedom of speech.

The extinction of this group was mainly due to political and social chaos. But there was one more reason for this decadence and that was the intolerance of Iranian and Byzantine governments towards religion and freedom of expression." (12)

It began in the 5th century C.E with the fall of the Roman empire and the rise of Christianity and continued till Europe's present renaissance which began in the 13th century. That is why this 800 years long period is commonly known as "dark age".

After the birth of Christianity, in 529 Roman Emperor Justinian ordered the locking of Plato's centuries old academy, which was Europe's leading source of learning. The treasures of knowledge compiled by the Greek scholars were locked up in vaults.

Some of it which was preserved in the libraries of Constantinople was destroyed during the crusades by the Roman army and seeking knowledge was forbidden. This was neither done by the Roman Empire nor by the European kings, but by the church. On top of it the pope of Rome, Gregory the Great declared ignorance superior than seeking knowledge and gave a ruling that ignorance is the mother of piety. Ignorance was therefore a condition you had to fulfill to become pious. Church was the only place where one could acquire knowledge. The knowledge was restricted to the Bible and that also was not given without the permission of the church.

The church had therefore more power over the people than the state. In fact the state itself was under the control of the church. If the church disliked any of the king's actions, he had to apologize to save his position. This was called theocracy, also known as popism. It was therefore the church responsible for this decay and not the state.

The kings were so helpless that once when the Roman king Frederick II (1212.1250) visited an Islamic state, he

was surprised by the freedom and authority of the rulers and told the Sultan of Egypt Muhammad Alkamil how fortunate he was not to have a Church-system.

To enforce the policy of confinement of spread of knowledge, the Church had instituted religious courts working under the cardinals of different regions. These courts were also authorized to execute their decisions. The kings were not authorized to interfere in their affairs.

Due to this centralization of authority if any person was accused of heresy, he was first brought to the cardinal courts. If he was found guilty, the courts would give the verdict and would also ensure the execution of the punishment which could range from a penalty to death.

No appeal against the sentence could be made anywhere else.(13) Having passed the different stages of the dark age Europe entered the modern age through the Renaissance movement, the foundations of which were laid by Islam, the Prophet of Islam ﷺ and the revolutionary Islamic civilization. The movement of Renaissance continued from the 15th till the 17th century C.E. having been initiated by the revolution of knowledge of science and civilization brought about by the Muslims. Europe also gained a lot through crusades and the centers of Andalusia.

Robert Briffault admits this historical fact as under:

“There is no aspect of Europe’s development which was not influenced by Islamic civilization.”

And

“Islamic civilization has left a big impact on Europe and this began when the light of Islam first entered Europe.”(14)

IMPORTANCE AND NECESSITY

OF THE SUBJECT

In the present age the importance, necessity and usefulness of the subject of human rights remains not just limited to the scholars, rather this topic constitutes an essential point of discussion world wide. Under these circumstances the idea of upholding and interpreting human rights being solely duty of the western world is heavily promoted.

The so-called Declaration of Rights of Man by the United Nations (made on 10.12.1948) is propagated with all possible means, whereas its implication has so far not been possible.

Its propagation increased with the arrival of the Golden Jubilee of the "Universal Declaration of Human Rights, for the celebration of which special arrangements have been made.

Because of these reasons it became more urgent than ever to research on the Khutba Hujjat-ul-wida of the Greatest Benefactor of Mankind, which is an unprecedented universal and highly comprehensive, eternally valid and also the very first of all declarations of human rights. It is far more implementable and preferable than all of its man-made follow-ups.

Based on its historical importance practical reality, and benefits, and with reference to the pressing needs for human rights in the present age and to show the grandeur and outstandingness of this Khutbah an examination of the human rights stated therein has been made subject of discussion.

In this examination human rights in the world history, in major civilizations, major religions, and the western world, especially the "Universal Declaration of Human Rights" by the United Nations shall be analysed from their historical perspective, compared and criticised with the object of demonstrating the practical reality of the Khutbah and its eternal preferability above all other so-called declarations of human rights.

ACKNOWLEDGEMENTS

Muhammad ﷺ is the Greatest Benefactor of Mankind, the Leader of Arabs and Non-Arabs, the Final Messenger. So incredibly much has been written about his life from the time of his prophethood till today that there cannot be the slightest doubt to the fact that no other personality has received as much attention as Muhammad ﷺ has. Every aspect of his life, every little detail has been documented and presented to mankind by historians and biographers. Over the last few centuries his status has been raised to that of greatest man ever.

Thousands of books have been written about the life of the Holy Prophet ﷺ. Interestingly it was not only Muslims but also Non-Muslims who have been writing books about the great Apostle of Allah ﷺ

This is a fact which has been accepted by the famous orientalist Prof. Margoliouth. Prof. Margoliouth has been a teacher at the western world's famous Oxford University from 1889-1937 C.E. and orientalists claim that none of them has been able to study Islam so closely as he did (15). One of his publication is "Muhammad and the rise of Islam" as a part of the "Heroes of the Nation" Series, published in New York in 1905.

The way he tried to tarnish the image of Hazrat Muhammad Mustafa ﷺ clearly depicted his bias towards Islam and the great Prophet of Islam ﷺ. He nonetheless acknowledged in the preface of his book that the biographies of the Holy Prophet ﷺ will never end and that joining the group of Seerat-writers means honors and respect.(16)

"There is long continuation of Muhammad's biographers, ending of which is impossible, but to get a place therein means honour and respect."

In 1896 John Davenport wrote a book on the life of the Holy Prophet ﷺ entitled "Apology for Muhammad and the Quran". In the beginning he wrote:

There is no doubt that not a single lawgiver's and conqueror's life and circumstances were narrated more detailed and true than that of Muhammad ﷺ,

"Muhammad's great personality left the present era's renowned American writer Michael Hart no other choice but to make him Nr.1 in his famous work "The 100". He even placed him before Jesus, son of Mary and Moses Michael J. Hart studied the life and works of famous personalities. His conclusion was in the form of a 572 pages strong book entitled "The100". This is book is about the 100 most important personalities ever, who according to the author, greatly influenced the history of mankind. This book is a further proof for Hazrat Muhammad Mustafa's ﷺ greatness, a fact which already was stated in the Quran when

ALLAH said to his beloved Rasool ﷺ.

“And have We not raised high thy fame?”

Muhammad ﷺ was ranked No.1 among the 100. He writes:

“Muhammad ﷺ was the only man in history who was supremely successful on both the religious and the secular levels, of humble origins. (17)

The impression that the great Prophet ﷺ left, is eternal, it is the eternal truth of.

“And have We not raised high thy fame.” And it is a proof for the real greatness of the Greatest Benefactor of mankind ﷺ.

چشمِ عالمِ یہِ نظارہِ ابدِ تک دیکھے
 رفعتِ شانِ ورفعتنا لکِ ذکرکِ دیکھے

The Muslim Ummah has always had a great attachment to the Holy Prophet ﷺ and his noble life. That is also the reason why even during his lifetime his Sunnah and traditions were being collected, and the work was carried on after he left this mortal world. Since then thousands of biographies of the Beloved Prophet ﷺ, the Seal of Prophethood, have been written and this will continue till the end of the world.

This book is an addition to the many before it and deals with the sermon the Holy Prophet ﷺ gave at his Farewell Pilgrimage. It is an attempt to introduce this sermon as the eternal and international charter of human rights.

So praise be to ALLAH in the beginning and in the end, according to the limited knowledge of the author on the subject of human rights and the last sermon of the Holy Prophet ﷺ, this book is the very first attempt. This the bounty of ALLAH. He gives it to whomever he wants.

ذَلِكَ فَضْلُ اللَّهِ يُؤْتِيهِ مَنْ يَشَاءُ

Though there have been several books in different languages on the subject of the last sermon, importantly “*Khutba Hujjatul-wida*” by Imam Ibne Hazm, and

Hujjatul-wida wa Rahmetun-Nabi" by Shaikhul Hadith Maulana Zakariyya Kandhelvi, the last sermon however has not been discussed with reference to the charter of human rights. The writings on the subject have been restricted to essays and booklets. This book, in context with the subject and the title is probably the very first attempt.

فَلْحَمْدُ لِلَّهِ عَلَى ذَلِكَ

I do confess my knowledge is insufficient. I have taken every care to ensure the correctness of the contents of this book. I nonetheless request the scholars and the layman who read this book, to inform me about any mistakes, so that they can be corrected in the next edition.

I, in the end, thank all those colleagues and friends who assisted me in writing this book. I also thank my teachers whose inspiration and guidance enabled me to become a writer. Especially my revered uncle, the renowned subcontinental historian, writer, scholar Muhaddith and Aalim, Allamah Muhammad Abdul Rasheed Nomani an my father Maulana Doctor Muhammad Abdul Haleem Chishti, whose guidance and patronage gave me great support. I also thank brother Hafiz Haqqani Mian Qadri (who helped me in proof-reading), and brother Salahuddin Thani who gave me scholarly support.

I am also thankful to the leading figure of Pakistan's renowned publishing house "Darul Ishaat", Mr. Khaleel Ashraf Usmani who took personal interest in the publishing of this book.

I pray to ALLAH that He showers His bounty and blessings on all those who helped me and that He bestows them with his infinite Grace and Mercy and that He grants them a tremendous reward.

فَجَزَاهُمُ اللَّهُ أَحْسَنَ الْجَزَاءِ

I pray to ALLAH, that He accepts this book and makes it a source of intercession. That He forgives my faults and shortcomings and that He includes my name in the august list of Seerat writers of the Holy Prophet ﷺ. That He grants me the intercession of the interceder for those who

sinned ~~كفر~~ and that He forgives me, my parents and all the Believers. (Ameen)

(Dr. Hafiz) Muhammad Thani

27 Ramadhan-ul-Mubark 1409 A.H.

14 Jan 1999 A.D.

Karachi.

THE LAST HAJJ OF THE LAST PROPHET ﷺ AT ONE GLANCE

☆ 10 Zul Qada 10A.H.
February 632

The Holy Prophet ﷺ makes his intent to go on Hajj.

☆ 24 Zul Qada 10 A.H.
Friday, February 632

The Seal of Prophethood ﷺ gives special instructions for the journey of Hajj. Friday Khutbah.

☆ 25 Zul Qada 10.A.H
Saturday, afternoon-prayers

Departure from Madina Tayyiba, offering of afternoon-Prayers at Dhul Huliafa.

☆ 25 Zul Qada 10 A.H.
after Asr till 26 Zul Qada
after Zuhur

Stay at Dhul Hulaifa.

☆ 26 Zul Qada 10 A.H.
after Zuhur

Departure for Makkah Mukaramah.

☆ 4 Zul Hajj 10 A.H.
Sunday morning
March 632

Entry into Makkah, performance of Tawaf, kissing of the Black Stone (حجر اسود) performance of Sai (سعى).

☆ 8 Zul Hajj 10 A.H.
March 632

Stay in Mina

☆ 9 Zul Hajj 10 A.H.

Stay in Arafat Khutbah Hujjatul wida, revelation of the Ayat "Today I perfected your religion" during Khutbah, joint offering of Zuhur and Asr prayers at Zuhur time, departure for Muzdalifa after sunset. Joint offering of Maghrib and Isha at Muzdalifa (at Isha-time). Stay in Muzdalifa and second great khutbah.

- ☆ 10 Zul Hajj 10 A.H. Departure for Mina after end of Khutbah. Rasoolullah's ﷺ sacrifice of 63 camels, leaving Ihram and shaving of his mubarak head, leaving for Makkah to perform Tawaaf- Ziarat.
- ☆ At noon-time Drinking water from Zam Zam.
- ☆ 10 Zul Hajj Return to Mina and 3 days stay.
- ☆ 13 Zul Hajj 10 A.H. Departure from Mina passing through the valley of Muhassab.
Tuesday March 632
- ☆ 14. Zul Hajj 10 A.H. Performance of Tawaful Wida.
at dawn Leaving for Madina Tayyiba after Fajr Prayers Khutba at Ghadir Kham, a place situated between Makkah and Madina.
- ☆ Last of Zul Hajj 10 A.H. Arrival in Madina Munawwarah.

صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ

OBLIGATORY HAJJ AND HAJJATUL WIDA

ALLAH'S succour arrived, Makkah was conquered people entered the fold of Islam in troops, kufr and shirk were eradicated for good, whole tribes and delegations repented from their disbelief and subscribed wholeheartedly to the belief in Allah's oneness and the prophethood of Muhammad ﷺ. The duties of prophethood ﷺ were discharged, the Islamic injunctions were completely transmitted in both word and deed, in the year 9 A.H. the future first caliph of Islam, Sayyidina Abu Bakr Siddiq was sent to purify the Holy Kaabah from the remaining rites of the days of ignorance(18) (NB. wisdom in the Holy Prophet's ﷺ not performing Hajj this year was that he did not want even a single pagan holding onto to the customs of Jahiliyya to perform the holy rites. His Hajj was meant to be perfect light and goodness and to reflect the outcome of the Holy Prophet's ﷺ mission, his teachings and his training. Thus the performance of Hajj under the leadership of Sayyidina Abu Bakr was one step towards this goal. (Ma'ariful Hadis)

Now it was the time for the last of all Prophets Sayyidina Muhammad Mustafa ﷺ to go on Hajj, so that the Ummah will know how the pilgrimage should be performed, how Sayyidina Ibrahim and Sayyidina Ismail ؑ performed the sacred rites. Now Hajj was an event brimming with the spirit of Tawheed and purified from all remnants of paganistic rites.(19)

WHY THIS HAJJ HAS BEEN NAMED HAJJATUL WIDA

Since the Holy Prophet ﷺ announced the perfection of religion during this historical Hajj and also bade farewell to his companions this Hajj has been named Hujjatul Wida i.e. Farewell Pilgrimage. According to Awjazus-sair both readings "Al wada" and "Al wida" are correct.

The Holy Prophet ﷺ took leave from his companions and all others present because it was revealed to him that thereafter no such magnificent gathering shall be at his disposal. The revelation of Surah Nasr hinted towards this fact and also to his impending departure from this fleeting

world. In the opinion of the scholars this Hajj has been called Hujjatul Wida because the Holy Prophet ﷺ took leave from his companions and stated that after this year he might not meet them again. (20)

THE NUMBER OF HAJJ THE HOLY PROPHET ﷺ PERFORMED

Nabi Akram ﷺ performed several Hajj before Hijra. In Jami Tirmidhi, on authority of Sayyidina Jabir bin Abdullah ؓ the number has been stated as 2, in Nihayah by Ibn Aseer has been mentioned that the Holy Prophet ﷺ had performed Hajj every year. Ibn Juzi says that there is no exact information whether he performed Hajj every year. The most preferable view is that by Muslim, that he performed one Hajj after Hijra. (21)

DEPARTURE FOR THE FAREWELL PILGRIMAGE

On 10th of Zul Qada 10 A.H. the Messenger of Allah ﷺ announced his intention to perform Hajj. The news spread fast and soon a great number of Arabs, Ansar, Muhajireen and the Sahaba Akram ؓ arrived, so that they may embark along with the Holy Prophet ﷺ on this blessed journey and that they may get the chance to perform the sacred rites the same way as Allah's Beloved ﷺ does, that his footsteps may become a means of guidance for them. The Holy Prophet ﷺ left Madina Munawwarah for Makkah Muazzamah on Sat. 25 Zul Qada, between Zuhur and Asr, he arrived in Makkah on Sunday 4 Zul Hajj. (22)

Further reading: Seerat-e-Mustafa (M.I. Kandhalwi) Zarqani, Zaad al Maad.

NUMBER OF PARTICIPANTS IN THE FAREWELL PILGRIMAGE

The scholars of Hadith and History hold different opinions with regard to the number of participants in the last hajj of the Holy Prophet ﷺ. Acc. to Ibn Saad the number was too great to be counted. Imam Nasai transmits one narration on authority of Sayyidina Jabir ؓ that when he announced his intention to go on Hajj, no one stayed back home who had the means of conveyance or was able to walk. On the left, right, front and behind as far as the eye could see, were people Similiar has been mentioned in "sharh safarus-Saadat". In Hashiya Mishkat under لمعات has

been transmitted that there are some narrations which indicate that the number of participants was countless. In the last Ghazwa of the Holy Prophet ﷺ the number of participants was one lakh. So at the time of the hujjatul-Wida it must have been more for sure. Acc. to one tradition the number was 114,000 in another 124,000 have been mentioned Mulla Ali Qari states 130,000 (23) According to Zarqani it has been 130,000 plus the residents of Makkah and people from Yaman who came with Sayyidina Ali and Sayyidina Abu Musa Ashari رضى الله تعالى عنهما (24).

AN EYE WITNESS REPORT OF THE HOLY PROPHET ﷺ LAST HAJJ

Sayyidina Jafer Sadiq whose actual name is Jafer bin Muhammad and whose descendancy is as follows:

Jafer Bin Muhammad bin Ali bin Hussain bin Ameerul Momineen Ali bin Abi Talib Hashmi, narrates on authority of his father:

عن جعفر بن محمد عن ابيه قال دخلنا على جابر بن عبد الله فسأل عن القوم حتى انتهى الى فقلت انا محمد بن علي بن حسين فاهوى بيده الى رأسي، فترع زري الألى ثم نزع زري الأسفل ثم وضع كفه بين ثديي وانا يومئذ غلام شاب فقال! مرحباً بك يا بن اخي، سل عما شئت، فسألته، وهو اعمى، و حضر وقت الصلوة فقام فى نساجة ملتحفاً بها كلما و وضعها على منكبيه رجع طرفاها اليه من صغرها، وردائه على جنبه على المشجب، فصلى بنا، فقلت! اخبرنى عن حجة رسول الله صلى الله عليه و سلم، فقال! بيده فعقد تسعاً فقال ان رسول الله صلى الله عليه و سلم مكث تسع سنين لم يحج، ثم اذن فى الناس فى العاشرة ان رسول الله صلى الله عليه و سلم حاج، فقدم المدينة بشر كثير، كلهم

يلتمس ان يأتى برسول الله صلى الله عليه وسلم و يعمل
 مثل عمله، فخرجنا معه حتى اتينا ذا الحليفة فولدت اسماء
 بنت عميس محمد بن ابي بكر، فارسلت الى رسول الله
 صلى الله عليه وسلم كفى اصنع؟ قال! اغتسلي، و استتفري
 بثوب، و احزسى، فصلّى رسول الله صلى الله عليه وسلم
 فى المسجد ثم ركب القصواء، حتى اذا استوت به ناقته
 على البيداء نظرت الى مد بصرى بين يديه من راكب و ماش
 و عن يمينه مثل ذلك و عن يساره مثل ذلك و من خلفه مثل
 ذلك و رسول الله صلى الله عليه وسلم بين اظهرنا و عليه
 ينزل القرآن و هو يعرف تاويله و ما عمل من شئ عملنا به،
 فاهل بالتوحيد "ليكن اللهم ليكن، لا شريك لك ليكن" ان
 الحمد والنعمة لك والملك لا شريك لك، و اهل الناس بهذ
 الذى يهلون به فلم يرد رسول الله صلى الله عليه وسلم
 عليهم شئاً من ه و لزم رسول الله صلى الله عليه وسلم
 تلبية.....

قال جابر "لسنا نموى الا الحج، لسنا نعرف العمرة حتى اذا اتينا
 البيت معه اسلم الركن فرمل ثلاثاً و مشى اربعاً ثم تقدم الى
 مقام ابراهيم مصلى فقرأ "واتخذوا من مقام ابراهيم مصلى"
 فجعل المقام بينه و بين البيت فكان ابي يقول ولا أعلمه
 ذكره الا عن النبى ﷺ كان يقرأ فى الركعتين قل هو الله
 احد، و قل يا ايها الكفرون، ثم رجع الى الركن فاستلمه ثم
 خرج من الباب الى الصفا فلما دنى من الصفا قرأ ان الصفا و

المروءة من شعائر الله“ ابدا بـم ابدا الله بهـ فبدا بالصفاء فرقى عليه حتى رأى البيت فاستقبل القبلة فوحد الله وكبره، وقال لا اله الا الله وهذه ال شريك له له الملك وله الحمد وهو على كل شئ قدير لا اله الا الله وحده انجز وعده ونصر عبده، وهزم الاحزاب وحده ثم دعا بين ذلك قال مثل هذا ثلاث مرات ثم نزل ومشى الى المروءة ففعل على المروءة كما فعل على الصفا حتى اذا كان آخر طواف على المروءة نادى وهو على المروءة والناس تحته فقال! لو انى استقبلت من امرى ما استدبرت لم اسق الهدى وجعلتها عمرة فمن كان منكم ليس معه هدى فليحل وليجعلها عمرة فقام سراقه بن مالك بن جعشم فقال يا رسول الله صلى الله عليه وسلم! لعامنا هذا ام اللأبد؟ فشبك رسول الله ﷺ اصابعه واحدة فى الخرى وقال! دخلت العمرة فى الحج لابل لأبد ابد.....

وقدم على من اليمن بيدن النبي ﷺ (فوجد فاطمة ممن حل ولبست ثيابا صبيغا والتحلت فانكر ذلك عليها فقالت ان ابى امرنى بهذا) فقال له رسول الله ﷺ ما ذا قلت هين فرضت الحج، قال قلت اللهم انى اهل بما اهل به رسولك، قال فان معى الهدى فلا تحل، قال! فكان جماعة الهدى الذى قدم به على من اليمن والذى اتى! به النبي ﷺ مائة، قال فحل الناس كلهم وقصروا الا النبي ﷺ ومن كان معه هدى..

فلما كان يوم التروية توجهوا الى منى فاهلوا بالحج وركب

النبي ﷺ فصلى بها الظهر، والعصر، والمغرب، والعشاء، والفجر، ثم مكث قليلاً حتى طلعت الشمس وأمر بقية من شعر تضرب له بنمرة، فسار رسول الله ﷺ، ولا تشك قریش إلا أنه واقف عند المشعر الحرام..

حتى إذا زاغت الشمس أمر بالقصواء فرحلت له فأتى بطن الوادي فخطب الناس، و قال ان دمائكم و اموالكم حرام عليكم كحرمة يومكم هذا، فى شهر كم هذا، فى بلدكم هذا، الا! كل شى من امر الجاهلية تحت قدمى موضوع، ودماء الجاهلية موضوعة، وان اول دم اضع من دمائنا دم ابن ربيعة ابن الحارث و كان مسترضعاً فى بنى سعد فقتله هذيل، وربنا الجاهلية موضوعة و اول ربا اضع من ربانا ربا عباس بن عبد المطلب، فانه موضوع كله، فاتقوا الله فى النساء و انكم اخذتموهن بامان الله واستحلتم فروجهن بكلمة الله، ولكم عليهن ان لا يوطئن فرشكم احدا تكرهونه، فان فعلن ذلك فاضربوهن ضرباً غير مبرح، ولهن عليكم رزقهن و كسوتهن بالمعروف، و قد تركت فيكم ما لن تضلوا بعده ان اعتصمتم به، كتاب الله و انتم تسئلون عنى فما انتم قائلون؟ قالوا! نشهد انك قد مبلغت واديت و نصحت، فقال باصبعه السبابة ترفعها الى السماء و ينكثها الى الناس، اللهم اشهد، اللهم اشهد، ثلث مرات ثم اذن بلال، ثم اقام فصلى الظهر، ثم اقام فصلى العصر، ولم يصل بينهما شيئاً.....

ثم ركب حتى اتى الموقف فجعل بطن ناقته القصواء الى

الصخرات و جعل جبل المشاة بين يديه، واستقبل القبلة فلم يزل واقفا حتى غربت الشمس، و ذهبت الصفرة قليلا حتى غاب القرص، و اردف اسامة، ودفع حتى اتى المزدلفة فصلى بها لمغرب والعشاء باذان واحد، و اقامتين، ولم يسبح بينهما شيئا. ثم اضطجع حتى طلع الفجر، فصلى الفجر حين تبين له الصبح، باذان و اقامة ثم ركب القصواء حتى اتى المشعر الحرام. فاستقبل القبلة فدعاه و كبره و هَلَّلَهُ ووحدته فلم يزل واقفا حتى اسفر جدا فدافع قبل ان تطلع الشمس، و اردف الفضل بن عباس حتى اتى بطن محسر فحرك قليلا ثم سلك الطريق الوسطى التى تخرج على الجمرة الكبرى حتى اتى الجمرة التى عند الشجرة فرماها بسبع حصيات يكبر مع كل حصاة منها مثل حصى الخدف، رمى من بطن الوادى ثم انصرف الى المخرف ففحر ثلثا وستين بدنة بيده ثم اعطى عليا فخر ما غبر و اشركه فى هديه ثم امر من كل بدنة ببضعة فجعلت فى قدر فطبحت فاكلوا من لحمها و شربا من مرقها ثم ركب رسول الله ﷺ فافاض الى البيت، فصلى بكمة الظهر، فاتى على بنى عبد المطلب يسقون على زمزم فقال انزعوا بنى عبد المطلب فلولا ان يغلبكم الناس على سقايتكم لنزعت معكم فناولوه دلواً فشرب منه (صحيح مسلم)

Some of us were in the service of Jabir bin Abdullah رضي الله عنه who asked us who we were. All of us told him, and when it was my turn, I said to him that I am Muhammad bin Ali bin Hussain. He was very old at that time and also blind. He kept lovingly his hand on my head then he

opened the two buttons of my shirt and put his hand into the slit, keeping it on my chest. I was very young at that time and he expressed his pleasure on meeting me, greeting me with "Marhaba my nephew! Oh reminder of my brother Hussain, ask me whatever you want!" Imam Baqir says as he started asking questions the prayer time approached, whereupon Sayyidina Jabir covered himself up in a short mantle that he had and stood up for prayer. The mantle was so short that it would slip down again and again, but he completed the prayer in that, though he had a larger mantle lying on a clothing rack nearby. After the prayer I asked: Sir, narrate to us the complete details of the Farewell-pilgrimage of the Messenger of Allah ﷺ.

Sayyidina Jabir رضي الله عنه counted 9 by his hand and said that the Holy Prophet ﷺ did not go for hajj during his 9 years stay at Madina. Then in the 10th year after Hijra, he got publicly announced that he would go for Hajj that year. People started pouring into Madina from all sides with the intense desire and intention to accompany the Holy Prophet ﷺ to Makkah and to follow him in what ever he did.

The Hajj caravan moved out from the city under the Holy Prophet ﷺ and halted at Dhul-Hulaifa for a day or so. Here Asma bint Umais, a wife of Sayyidina Abu Bakr رضي الله عنه gave birth to Muhammad Bin Abi Bakr. Asma asked the Holy Prophet ﷺ through a messenger as to what she should do. The Holy Prophet replied "Have bath, bandage your private parts and put on Ihram."

Then after leading the prayer the Holy Prophet ﷺ mounted his she-camel Qaswa and rode to the nearby elevated plain called Baida. When I looked around from Baida, I saw multitudes of people in front and rear, left and right as far as I could see, some riding, some walking. The Messenger of Allah ﷺ was in our midst. As revelation came down on him and he understood it perfectly and acted in accordance with it, we followed him in whatever he did. Here at Baida, the holy Prophet ﷺ recited the Talbiya of the oneness of Allah aloud:

لَبَّيْكَ، اَللّٰهُمَّ لَبَّيْكَ، لَبَّيْكَ لَا شَرِيكَ لَكَ لَبَّيْكَ، اِنَّ
الْحَمْدَ وَالنِّعْمَةَ لَكَ وَالْمُلْكَ، لَا شَرِيكَ لَكَ۔

"Here I am, oh Allah, here I am in Thy presence Thou hast no partner, here I am. Thou alone dost deserve all

praise and gratitude. Thou alone canst bestow favours and blessings. Sovereignty is Thine and Thou hast no partner!

The companions also recited their Talbiya aloud, adding a few words, but the Prophet of Allah did not mind those words and kept reciting his own Talbiyah. The main purpose of our journey was to accomplish Hajj and not Umrah. So when we reached the House of Allah first of all the Holy Prophet ﷺ kissed the Black Stone and then started moving around the Kabah, the first 3 circuits at swift pace, the remaining 4 at his normal speed. Then he came to the place of Abraham and recited the verse:

وَاتَّخِذُوا مِنْ مَّقَامِ إِبْرَاهِيمَ مُصَلًّى

“and enjoin the people to dedicate to worship where Abraham used to stand for prayers” (2.125)

Then he stood up for prayers with Muqam-e-Ibrahim between him and the Kabah and offered 2 Rakats in which he recited “Qul ya eyyuhal kafiroom” (109) *قُلْ يَا أَيُّهَا الْكَافِرُونَ* and “Qul huwallahu ahad” (112) *قُلْ هُوَ اللَّهُ أَحَدٌ*. Then he returned to the Black Stone, kissed it and then he went through the gate towards Mt. Safa. After reaching it he recited:

إِنَّ الصَّفَا وَالْمَرْوَةَ مِنْ شَعَائِرِ اللَّهِ

“Indeed Safa and Marwa are from the signs of Allah”

And then he said “I begin my sai from Safa as Allah has mentioned it first”.

Then he climbed Safa till he could clearly see the Kabah, then he stood facing the Qibla, proclaiming the oneness and greatness of Allah:

”لا اله الا الله وحده لا شريك له له الملك وله الحمد وهو

على كل شئ قدير، لا اله الا الله وحده انجز وعده ونصر

عبده وهزم الاحزاب وحده“

“There is no God but Allah, the One: He has no partner, sovereignty is his and all praise and He has power over all things. There is no God but Allah, the One. He has fulfilled his promise and has helped His servant fully and has put to rout all the forms of disbelief by Himself. He recited these words thrice and supplicated in

between, then he descended Safa and moved toward Marwa and repeated atop Marwa the same he recited at Safa. Then when he came to Marwa on his last trip, he addressed his companions, saying.

Had I know before what I came to know later, I would not have brought any offerings with me and would have converted this Tawaf and Sai into that of Umrah, and put off Ihram after the performance of Umrah. However, those of you who have not brought their sacrificial offerings along with them may regard this Tawaf and Sai as of Umrah and put off Ihram.

Hearing this, Suraqah bin Malik stood up and asked:

“O messenger of ALLAH! Is this command meant for this year only or is it for the future as well: The Holy Prophet ﷺ intertwined the fingers of his two hands and said,

دخلت العمرة في الحج لا بل لا بد ابدًا

‘Umrah and hajj have been combined like this, not only for this year but forever.’”

And Ali arrived from Yaman with more sacrificial animals for the Holy Prophet ﷺ. When he noticed that his wife, Hadhrat Fatimah رضي الله عنها, had set aside Ihram, put on colored clothes and applied antimony, he expressed his displeasure over this, but she told him that her father, the Holy Prophet ﷺ himself had allowed her to put off Ihram.

The Holy Prophet ﷺ turned to Sayyidina Ali and asked: ‘What was your intention when you put on Ihram?’ Hadhrat Ali replied that he had said:

اللَّهُمَّ إِنِّي أَهْلٌ بِمَا أَهْلٌ بِهِ رَسُولُكَ

“Oh Allah” My intention for Ihram is the same as of they Prophet ﷺ”.

The Holy Prophet ﷺ then said:

“Since I have brought the sacrificial offering along with me, I cannot put off Ihram, and as your intention was the same as mine, you also cannot set it aside.

Sayyidina Jabir رضي الله عنه continued: “The total number of the camels brought by the Holy Prophet ﷺ and Sayyidina Ali as offerings was 100. All the companions who had come without offerings set aside ihram accordingly and got their hair clipped, except those who had brought

their offerings with them.

“Then came the day of Tarwiyah (i.e. 8. zul hajj), the people started moving towards Mina and those of them who had put off Ihram of Umrah, resumed their Ihram for Hajj. The Holy Prophet ﷺ rode to Mina on his she-camel Qaswa, and there he led all the 5 prayers from Zuhur to Fajr, then he waited till the sun rose, then he left for Arafah, and ordered a hair tent to be pitched for him at Namrah. The Quraish were sure that he would halt at Masharil Haram as had been the custom among them in the days of ignorance, but the Holy Prophet ﷺ crossed the limits of Mash’aril Haram and entered the bounds of Arafah and stayed in the tent that had been pitched for him at Namrah.

Then when the sun began to decline, he ordered that Qaswa should be saddled for him and this was done. The Holy Prophet ﷺ rode to the bottom of the valley of Urnah and addressed the people from the camel back, saying ;

→ “Oh people! Shedding blood and seizing others’ properties in unlawful ways, are forbidden to you just as they are forbidden on this day, in this month and in this city.

Note it well that all customs and usages of the days of ignorance are trampled under my feet, the blood feuds of the past are abolished, and first of all I give up our family’s claim with regard to the son of Rabiah bin al Harith bin Abdul Muttalib, who was being suckled by Bani Saad when he was killed by Bani Huzail. Abolished are also all the claims of interest of the past, and first of all I give up the claims in this respect of my uncle Abbas bin Abdul Muttalib.

Oh people! Fear ALLAH with regard to the rights of your women: you have married them on ALLAH’s security and they have become lawful to you only by His law. Your special right on them is that they should not allow an undesirable person to enter your house and sit on your bed, but if they commit an error in this regard, you may punish them lightly. The women’s special right on you is that you should clothe and feed them generously acc. to your means.

Oh people! I am leaving behind for you the fountain head of guidance: if you hold fast to it and follow its teachings, you will never go astray, this is the book of

ALLAH .

Oh people, listen! Every Muslim is a brother unto the other Muslim, and all the Muslims are brethren unto one another, Therefore the property of one is unlawful for the other, unless given willingly, and do not be unjust to one another.

On the Day of Rising when you will be asked about me (whether I have conveyed fully ALLAH's message) what will you say?"

The whole congregation spoke out with one voice:

"We bear witness that you have conveyed fully ALLAH's message, in the best way possible and given us the wisest counsel."

At this the Holy Prophet ﷺ raised his forefinger towards the sky, and then pointing to the congregation said thrice:

اللَّهُمَّ اشْهَدْ! اللَّهُمَّ اشْهَدْ! اللَّهُمَّ اشْهَدْ!!!

→ 'Oh ALLAH, be thou witness! I have conveyed Thy message and Thy commands to Thy people as has been confirmed by them."

Then Sayyidina Bilal رضي الله عنه called out Azan and Iqama and the Holy Prophet ﷺ led the Zuhur prayers, Bilal again gave Iqamah and the Holy Prophet ﷺ led the Asr prayer. After observing the Zuhur and Asr prayer, the Holy Prophet ﷺ rode to the place of halting, and turned his she-camel towards the big rocks with the whole congregation of the people in front of him, and facing the Qibla, kept standing there till the sun began to set, and the yellowness of the evening was gone and the sun had completely disappeared. Then he set out for Muzdalifah with Usamah Bin Zaid behind him on the camel back. When we reached Muzdalifah, he led the Maghrib and Isha Prayers together with one Azan and two Iqamahs, but did not observe any Sunnat or Nafl prayer. After this he lay down for rest till it was dawn when he led the Fajr prayer duly with Azan and Iqamah. Then he rode to Mash'ari Haram and stood there facing the Qiblah and recited ALLAH's greatness, His oneness and Glory for quite some time. When the daylight spread, he left for Mina, a little before sunrise. Now he had Fadl bin Abbas behind him on the camel back. When he came to the bottom of the valley Muhassir, he urged his camel to go a bit faster, then he followed the middle path leading to

the largest Jamrah which is near the tree, and cast 7 pebbles at it, pronouncing ALLAHU Akbar every time. These were small pebbles which he threw from the valley side. After this he went to the place of sacrifice and slaughtered 63 camels with his own hand, the rest were slaughtered by Sayyidina Ali, whom he took as a partner in his sacrificial offering. Then he ordered that a piece of flesh from each camel should be taken and cooked. After it was ready he and Ali took the meat and drank the soup. Then the Holy Prophet ﷺ mounted his she-camel and left for the Tawaf of Ziyarah of the House of ALLAH. He led the Zuhur prayer at Makkah, and then approached the people of his family (Bani Abdul Muttlib) who were drawing ZamZam water for the people to drink. He also asked them for water, saying:

"Had I not feared that the people, in their eagerness to follow me, would have forcibly usurped this service of supplying water from you, I would have drawn water along with you." They gave him a bucketful of water from which he drank. (Muslim)

As mentioned in the beginning, this narration by Sayyidina Jabir bin Abdullah is the longest and most detailed Hadith about the Holy Prophet's ﷺ last Hajj, but still there are many incidents which are not mentioned in it, like when the Holy Prophet ﷺ took off his Ihram, or the speech he delivered on 10. zul Hajj, which has been mentioned in other Ahadith.

Some narrators transmitted this Hadith with the addition that the Holy Prophet ﷺ has said,

نحرت ههنا ومنى كلها منحر فانحروا فى رحالكم و وقفت
ههنا و عرفة كلها موقف و وقفت ههنا و جمع كلها موقف

(مسلم)

"I made my sacrifice here, but the whole of Mina is a place of sacrifice, and you can slaughter your animals where you stay, and I halted at Arafat near the big rocks, but the whole plain of Arafat is a place to halt."

THE HISTORICAL RECORD OF THE FAREWELL PILGRIMAGE

The Sahaba Akram ﷺ have preserved so many minute

details of this blessed journey of ALLAH's Messenger ﷺ as it cannot be found in the travelogues of rulers and kings, neither in the memoirs of the Mashaikh and Ulama. There are traditions which even mention which perfume the Holy Prophet ﷺ used when he put Ihram, the couplets he recited while sacrificing, on what side he had wounded his animal, where were the remains disposed off, where has he been presented with the meat of a hunted wild ass, so far that even a snake which appeared in the crowd in the night of Mina and its safe escape has been mentioned.

Whom he mounted behind himself on his camel (there are some 38 names mentioned), even the barber's name, who had the honour of shaving his mubarak head at the time of finishing Ihram is preserved, details, about to whom the sacred hair was given, who got the hair from the right side and who got the hair from the left side.(25)

SIGNIFICANCE OF THE HOLY PROPHET'S ﷺ FAREWELL PILGRIMAGE

The last Hajj of the Seal of Prophethood ﷺ holds a very important, unique, memorable and historical position from among the clear signs of ALLAH, with regard to oral instructions and practical training.

It is unique because not even a thousand lectures books or gatherings could achieve such an outstanding success in the field of completion of bounties, perfection of Religion, practical training and spiritual grooming as has been achieved by this last Hajj of the Holy Prophet ﷺ. This journey was a mobile mosque and Madrassah in which hearts became conscious, in which people drew closer to ALLAH, developing a deeper and greater love for him every single moment. During this blessed journey faith grew strong, morals were refined and religious education reached perfection. During this sacred journey, in the plain of Arafat, the following Ayat was revealed:

الْيَوْمَ أَكْمَلْتُ لَكُمْ دِينَكُمْ.....الخ

“Today I have perfected your religion for you”

And this very Hajj was the embodiment of all which this Ayat implies. Further this journey is unique because of the ardent zeal and fervour in which the blessed companions of

ALLAH'S beloved Rasool ﷺ have recorded the most minute details of every moment, every incident every station of this trip, a trip full of sanctity and blessings, which are beyond description. It is their love for details which today allows us to study all the practical and spiritual injunctions of which this Hajj was a treasure-case.

THE TRANSMITTOES OF THE KHUTBAAT HUJJATUL-WIDA AND THE NUMBER OF KHUTBAAT

The transmitters of the Khutba Hujjatul-Wida, and the number of khutbaat.

In the Sahih Bukhari (Bab ad-Diyyat), Sahih Muslim (Bab Hujjatun-Nabi), Sunnah Abi Dawud (Bab al Ashhurul Haram was Wa Hujjatun Nabi) and others, speeches of the last hajj have been transmitted on the authority of Hizr ibn Abbas, Sayyidina Ibn Umamah Bahili, Sayyidina Jabir, Sayyidina Abu Bakr Siddiq and other Sahabah رضى الله عنهم اجمعين. Many points are similar and some are different in those traditions. In the books of Ghazwat and Seerat other details are mentioned as well. In reality the speeches during the Farewell pilgrimage were one long address and the narrators transmitted whatever orders and points they remembered. Although the longest and most detailed tradition is the one by Sayyidina Jabir Bin Abdullah, there are still some incidents not mentioned. One more difference is that the tradition by Hizr. Jabir and Sayyidina Ibn Abbas mention the day of Arafat as the day of address, where as in the traditions by Hizr Abu Bakr, Ibn Abbas and other the day of Nahr has been given as the day of address, and in some narration the days of tashreeq are mentioned.

Ibn Ishaq mentioned that the khutbah continued for several days. Ibn Majah, Tirmidhi and Ahmad report some parts of the speech of Hujjatul-Wida without mentioning any date. If all the traditions of the Saheeh Sittah and the Musaneed are combined, then the conclusion is that the Holy Prophet ﷺ gave 3 speeches. One on 9 Zul Hajj, one on 10th and one during the days of Tashreeq, during these addresses some points were elucidated more because the gathering was a very big one, and the Holy Prophet ﷺ wanted to ensure that his message reached everyone,

therefore he repeated some things.

NIYABET-E-KHUTBAH

During the speech the Holy Prophet ﷺ spoke clearly and distinct, pausing after every sentence, making several repetitions with raised voice. He posed questions to the congregation, involved them in the important message he conveyed.

So for instance he asked:

هَلْ تَذَرُونَ أَيُّ يَوْمٍ هَذَا؟

“Do you know, which day this is?”

when the crowd answered, he continued,

ان الله قد حرم عليكم دماءكم و اموالكم الى ان ان تلقوا
ربكم كحرمة يومكم هذا

“Your life, your wealth have become sacred to you (cannot be seized unlawfully) till the Day of Judgment, just like this day is sacred and this month is sacred”.

After wards he said,

اللَّهُمَّ بَلَّغْتُ

“Oh ALLAH, I fulfilled my duty of preaching and conveyed the message.”(27)

The orders given by the Messenger of ALLAH ﷺ were expounded by Allamah Shibli Numani:

The Holy Prophet ﷺ came to ‘Arafat along with the common people and proclaimed:

Stay at your sacred place. You are on the heritage of your father Ibrahim.

That is, the stay of the pilgrims in ‘Arafat is in commemoration of the memory of Ibrahim who had selected this place specially for this purpose. There is a place, namely, Namra. There the Holy Prophet ﷺ stayed in a tent of blankets. When, it was afternoon he rode his she-camel, Qaswa' and came to the plain and delivered his address riding his camel. It was the first time that Islam emerged in its full splendour and glory and annihilated all the vain and preposterous rites of the age of Ignorance. The Holy Prophet ﷺ said:

Surely, all the rites and practices of the Time of Ignorance are underneath my both feet.

The greatest hurdle in the way of spiritual elevation of humanity was the distinction of race and colour and status between men which all the countries and the nations had maintained in one shape or another. The kings and the rulers were the special creations of Allah and no one could dare speak before them. No one had the authority to discuss religious matters with the Imams. The nobles and chiefs considered themselves as superhuman as compared to the poor and the downtrodden. A servant could not vie with his master. Today all these distinctions of caste, creed, race and ranks were finished and human equality reigned supreme:

O people! Verily, your Lord is one and your father is one. There is no superiority for an Arab over a non-Arab and for a non-Arab over an Arab nor for the white over the black nor for the black over the white except in piety.

Surely a Muslim is the brother of the Muslim and they form one brotherhood. (As for) Your servants, you give them to eat what you eat and to wear what you wear.

If any one person of the tribe was killed by another person, it became the obligation of the tribe to take revenge. This obligation remained to be fulfilled even after shedding the blood for hundred of years and thus a series of unending bloody wars continued. On the farewell pilgrimage, this most ancient custom which the Arab highly eulogized was abolished for ever and the Holy Prophet ﷺ set an example by giving up his own claim of revenge:

The blood revenges of the days of ignorance are remitted. The first claim on blood (of my family) I abolish is that of Ibn Rabi'ah Ibn Harith.

In the whole of Arabia, the net of usury was spread in which the poor and the needy were badly entangled and had become slaves of the money-lenders for ever. At Hajjat-ul-Wada', the threads of this net were cut asunder. The preacher of truth first of all cancelled the interest on the amount lent on usury by his family. He said:

Allah has decreed that there should be no usury. And all interest due to 'Abbas bin 'Abdul Muttalib is cancelled.

Until now women were considered as a moveable property who were staked in gambling. It was the first day when this delicate and downtrodden creation was given due respect, honour and dignity.

“O people! Fear Allah concerning women. Verily, you have got certain rights over your women and your women have certain rights over you.”

In Arabia no value was attached to the life and property of a person. Any person who liked could kill and seize the property of another person. The Holy Prophet's ﷺ, the king of peace and security gave the following message to the world:

So I apprise you that your lives, your property and your honour must be as sacred to one another as this sacred day, in this sacred month, in this sacred town till you meet your Lord.

Before the advent of Islam, there were many religions in the world; but they were not based on any written Shari'ah. The lust and worldly temptations had distorted these teachings entirely. The Holy Prophet's ﷺ teachings were permanent and for all the nations and contained all the Divine instructions. He handed over the same to his Ummah and observed:

Verily, I have left amongst you the Book of Allah and the Sunnah of His Prophet which if you hold fast, you shall never go astray.

Then he proclaimed some basic principles: Verily, Allah has ordained to every man the share of his inheritance. No one is permitted to make a will concerning inheritance in favour of any one. The child belongs to the marriage bed and the violator of wedlock shall be stoned and his account is with Allah.

He who attributes his ancestry to other than his father or claims his clientship to other than his masters, the curse of Allah be upon him.

Behold! It is not lawful for a woman to spend anything from the wealth of the husband by herself. Debt must be paid, concession should be withdrawn, the gift should be returned and the one who guarantees is responsible for compensation.

Then the Holy Prophet ﷺ addressed the people:

You would -be asked about me from Allah. What would you say?

The people said: We would say that you have conveyed the message of Allah and fulfilled your duty. Then he raised his finger to the heaven and said: O Allah! Thou are my witness.

Just at that time when he was performing this duty of Prophethood, the following verse was revealed:

This day have I perfected for you your Faith, and completed My blessing upon you, And have accepted for you AL-ISLAM as a religion.

The most surprising and lesson-giving aspect was that when the emperor of the world ﷺ was announcing the commands of Allah in a huge gathering of lacs of people, the cushion and pillow of his throne and the saddle and string of his camel costed not more than a rupee.

And when he finished his address, he asked Sayyidina Bilal ؓ to call Adhan and offered the Zuhr (noon) and 'Asr (after-noon) prayers together. Then he rode his camel and went to the place of stay. There he stood and prayed for long. When the sun was about to set, he decided to set out. He asked Sayyidina Usama bin Zaid ؓ to ride on the camel. The Holy Prophet ﷺ held the reins of the camel so that its neck touched the saddle. There was so much rush of people that it was difficult to control. He beckoned the people with his right hand and according to Sahih Bukhari, with his whip, and said: Be slow, be slow. O people! Be steady, O people! Be steady.

During the course of journey, he alighted from the camel. Sayyidina 'Uthman ؓ said:

"A short time is left for the prayer. The Holy Prophet ﷺ said: The prayer will be offered at the place which comes next. After a short time he reached Muzdalifa along with his caravan. There he offered the Maghrib (evening) prayer. The people asked their men to go to the places where they had encamped. They had hardly opened" their luggage when the Adhan for 'Isha' (night prayer) was heard. After prayer, the Holy Prophet ﷺ went to sleep and rested till morning. He did not wake up during that night

for worship as was his routine. The scholars of Ahadith are of the view that it was the only one night wherein the Holy Prophet ﷺ did not offer the Tahajjud prayer. He woke up early in the morning and offered the Fajr (morning) prayer. The Quraish used to set out after the sun rose and its rays illuminated the tops of the hills. They shouted: O the mountain of Thubaira! Shine thou in the sun. The Holy Prophet ﷺ proceeded from this place before the sun rose on Saturday, the 10th of Dhul Hijja in order to put an end to this practice. Fadl Ibn 'Abbas ؓ was riding a camel along with him. Those desirous to know about Hajj gathered near him on his right and left. He answered to their questions and taught them the rituals of Hajj in a loud voice. He came to Jamra through the valley of Muhassir and asked Sayyidina Ibn 'Abbas ؓ who was a child to collect the pebbles. The Holy Prophet ﷺ threw stones and addressed the people:

Beware of exaggeration in religion as the nations before you were ruined on account of exaggeration. He further observed: Learn the Manasik. (Rituals, ceremonies) of Hajj from me for I know not whether I shall ever perform Hajj after this Hajj of mine.

Then he came to Mina and there was a large crowd of about one lac Muslims around him. The Muhajirin were on the right; the Ansars were on the left and amidst them were the rest of the people. The Holy Prophet ﷺ rode a camel and Sayyidina Bilal ؓ had stretched a cloth over his head and arranged a shadow to protect him from sun. He looked at this magnificent crowd. The result of his twenty-year's performance of Prophethood was before his eyes. The whole universe was illuminated with the light of love and devotion to the true Faith. The Holy Prophet ﷺ had been sent to bring the true teachings of the previous Prophets (peace be upon them) to perfection and the last stamp confirming the truth of their religions was now affixed by him after thousands of years since the creation of this world. This true message was conveyed by Muhammad ﷺ and every one heard this good tidings.

It was the beginning of a new Shari'ah, a new set up and a new world order.

It was a practice with the Arabs that they postponed the

month of the Hajj of Sayyidina Ibrahim Khalil ﷺ so that the prohibited month became an ordinary month as fighting and blood shed was prohibited during the months of Hajj and the Arabs could not do without it and so they made an addition or deduction in them to find an excuse for fighting and blood-shed. The Holy Prophet ﷺ, addressing a large crowd threw a good deal of light on this question. He observed:

There are twelve months in a year out of which four months are prohibited. Three of them are consecutive i.e. Dhul Qa'da, Dhul Hijja, and Muharram and the fourth is Rajab by itself between Jamadi and Sha'ban.

There are three things in the world which are the root cause of all the disputes, aggression and inequity namely, life, property and honour. The Holy Prophet ﷺ had emphasized this point in his previous address but it was necessary to stress this important point further. He, therefore, said in a simple but eloquent oration:

O people! Do you know what day it is?

The people replied: Allah and His Messenger ﷺ know better. The Holy Prophet ﷺ remained quiet for long. The people thought that he might give another name to that day. Then he said: Is not this day the day of sacrifice? To this the people answered: Yes no doubt, it is. Thereupon, he observed: What is this month? The people gave the same reply. The Holy Prophet ﷺ again remained quiet for long and observed: Is this not Dhul Hijja. To this the people answered:

Yes, it is. Then the Holy Prophet ﷺ again asked: What territory is it? The people said Allah and His Messenger ﷺ know better. Thereupon, the Holy Prophet ﷺ remained silent for long and then said: Is this territory not the sacred city? To this the people replied: Yes, no doubt. When the sanctity of the day, the month and the city was fully impressed on the hearts of the people, he observed:

So I apprise you that your lives, your property and your honour must be as sacred to one another as this sacred day, in this sacred month, in this sacred city.

Nations have been ruined due to fighting and bloodshed among them. The Holy Prophet ﷺ who was the founder of

a strong and peaceful nation proclaimed before his followers:

I apprise you that you should not go astray after me so that you may strike one another's necks. Verily, you will meet your Lord and you will be held responsible for your action.

The one general way of persecution was that if any person of the tribe or family was guilty of committing the crime, the whole tribe or family became guilty according the custom in vogue and in case the real culprit absconded, the king or ruler inflicted punishment on the person whom he had held. It was not rare that the son was hanged for the crime of his father and vice versa. This law which was extremely unjust and tyrannical was in vogue from the time immemorial. The Holy Quran abolished this law:

Each soul earneth only on its own account, nor doth any laden bear another's load. (Cattle)

The Last of the Prophets ﷺ who was promulgating the new political world order exterminated this tyrannical law for ever as he could not overlook this important aspect. He therefore observed:

Beware; no one committing a crime is responsible for it but he himself. Neither the son is responsible for the crime of his father, nor the father is responsible for the crime of his son.

Another reason of this lawlessness and disturbance was that everyone of them claimed his superiority and to be subordinate or obedient to any one was deemed an act of disgrace or humiliation. The Holy Prophet ﷺ said:

If an amputated servant of Abyssinia be your Amir and leads you according to the Book of Allah, listen to him and obey him and the result was that every particle of Arabia illuminated with the light of Islam and Ka'ba became the center of devotion for the Millat of Ibrahim and the insurgents and mischief-mongers were crushed. The Holy Prophet ﷺ said:

O people! Verily, the Satan is disappointed at being ever worshipped in this land of yours, but he will be followed in matters you may be disposed to think of little account, so he will be pleased with this. First of all the Holy

Prophet ﷺ repeated the obligatory duties of Islam:

Worship your Lord, offer five times prayers, keep fasts for the month (of Ramadan) and obey when I command you. You will be entered into Paradise by your Lord. Then the Holy Prophet ﷺ addressed the crowd saying: Have I conveyed my message? They all shouted with one voice: "Yes". And Muhammad ﷺ said: O Allah! Thou art my witness.

Then he said to the crowd: Behold! The nearer ones of you should convey the message to the remoter ones that I have conveyed the message.

When he had finished his address, he bade farewell to the people. (28)

KHUTBAH HUJJATUL WIDA

The Mercy for the Worlds, the Greatest Benefactor of Mankind, the last of ALLAH'S Prophets Sayyidina Muhammad Mustafa ﷺ was addressing his devoted followers who were about 130.000(29) in number رضى الله عنهم in the plain of Arafat, this speech became famous as the Khutbah Hujjatul Wida, the sermon of the Holy Prophet's ﷺ last Hajj. The last Hajj itself, because of its outstandingness and tremendous impact on Islam became also known as Hujjatul-Tamam.(30) This great speech takes a very exalted position with regard to the mission of the Holy Prophet ﷺ his preaching to and educating the people. This speech is not only for the Muslim Umma but for all mankind a tower of light, a source of peace, security and equality, and will continue to be that for all times to come. In it the Holy Prophet ﷺ has laid the foundation for an Islamic society and set an end to all the idolatrous traditions, customs and usages of the age of ignorance. He stressed the sanctity of all those things which are also considered as sacred by the whole civilized world, i.e. the sanctity of life, wealth, honour, rights of women, mutual support, and to hold firmly un to the rope of Allah. These were the values the last Messenger of Allah ﷺ was emphasizing.

Whoever hears or reads his noble words will be fully convinced that the Prophet Muhammad ﷺ was indeed the Mercy for the world, all humans, a Bringer of good rews and a plain Warner. It was during his last Hajj, in the 10th year after Hijra when the Messenger of Peace ﷺ was at a place near Arafat called Namrah, along with all the other hujjaj. He stayed in a woolen tent, till the sun passed the meridian, Then he asked for his she-camel Al-Qaswa, mounted it and rode into the plain of Arafat(31) and while still seated on his camel, he delivered his famous sermon to all those who were present.(32)

In Kanzul Ummal(33) is one tradition on the authority of Sayyidina Umm Husain ؓ who was also present during this last Hajj of the Messenger of Allah ﷺ. She says: I saw

that Sayyidina Usamah and Sayyidina Bilal رضي الله عنه were holding the reins of the Holy Prophet's ﷺ camel, and that Sayyidina Bilal was protecting the Holy Prophet ﷺ from the sunshine with the help of some piece of cloth. When the Holy Prophet ﷺ approached Jamratul Uqbah, he pelted it with stones, then he returned to the people who were waiting for him. His blessed sheet covered his left shoulder, coming out from under his right armpit I have seen that towards the right side of his saddle a great number of people had gathered." Further Umm Husain رضي الله عنها narrates that he was delivering a long speech and that in the end he said "ALLAH be witness" and "did I convey the message?". And in Zad al Maad (34) on authority of Sayyidina Ibn Umar رضي الله عنه is one tradition that Sura Nasr was revealed to the Holy Prophet ﷺ during the days of Tashreeq, and that he ﷺ understood from it that his time to depart to his eternal abode has drawn close. He ordered that his she-camel Al-Qaswa be brought, it was saddled and bridled up for him and he mounted it. He then rode into the plain of Arafat. When he saw that the people were gathering he was addressing them. In Kanzul Ummal, (35) on the authority of Sayyidina Abu Umamah رضي الله عنه is one tradition to the effect that the Holy Prophet ﷺ was amongst us during his ﷺ Hajj. He was seated on his camel, Jida'a (cut ears) then he kept his blessed feet in the stirrups so that he might be higher and that the people might hear what he had to say. Then he was asking them "Do you hear me?" then he delivered a speech with raised voice (36):

الحمد لله نحمده ونستعينه ونستغفره ونتوب اليه، ونعوذ
بالله من شرور انفسنا ومن سيئات اعمالنا من يهد الله فلا
مضل له ومن يضلله فلا هادي له واشهد ان لا اله الا الله
وحده لا شريك له واشهد ان محمدا عبده ورسوله،
او صيكم عباد الله بتقوى الله، واحثكم على طاعته و استفتح
بالذي هو خير،

اما بعد: ايها الناس! اسمعوا قولي تعيشوا ابين لكم فاني لا

ادري لعلى لا القاكم بعد عامى هذا فى موقفى هذا ابدأ ،
ثم ذكر المسيح الدجال واطنب فى ذكره، ثم قال! ما بعث
الله من نبى الا قذاً نذره امته، لقد انذره نوح امته والنبيون من
بعده و انه يخرج فيكم فما خفى عليكم من شأنه فلا يخفى
عليكم انه اعور عين اليمنى، كانها عنبة طافية، الا ما خفى
عليكم من شأنه، فلا يخفيت ان ربكم ليس بأعور، فلا يخفين
ان ربكم ليس بأعور،

أيها الناس! اى يوم هاذا؟ قالو يوم حرام، فقال فای بلد هذا؟
قالو بلد حرام، قال فای شهر هذا؟ قالو اشهر حرام، قال: فان
دماءكم، و اموالكم واعراضكم و ابشاركم و اولادكم حرام
عليكم الى ان تلقوا ربكم كحرمة يومكم هذا، فى شهركم
هذا، فى بلدكم هذا وانكم ستلقون ربكم فيسؤلکم عن
اعمالکم، الا هل بلغت؟ قال قالنا: نعم، قال: اللهم اشهد،

فمن كانت عنده امانة فليؤدها الى من ائتمنه عليها، الدين
مقضى، والعارية موداة، والمنحة مردودة، والزعيم غارم،
الاكل شئ من امر الجاهلية موضوع تحت قدمى، و ان كل
ربا موضوع و لكم رؤس اموالکم، لا تُظْلَمُونَ ولا تُظْلَمُونَ،
قضى الله انه لا ربا، و ان اول ربا ابدأ به ربا عمى العباس بن
عبد المطلب، و ان دماء الجاهلية موضوعة و ان اول دم
نبدأ به دم عامر بن ربيعة بن الحارث بن عبد المطلب، و كام
مسترضعا فى بنى ليث، فقتله هذيل-

الا ان مآثر الجاهلية و ان كل دم وماء و مال بدعى به كانت

فى الجاهلية فهو موضوعة تحت قدمى هاتين غير السدانة و
السقاية، والعمد قود وشبه العمد ما قتل بالعصى و الحجر و
فيه مأة بعير، فمن زاد فهو من اهل الجاهلية، ال اهل بلغت؟
اللهم فاشهد-

يا معشر قريش: لا تجيوا بالدنيا تحمولنا على رقابكم و بجى
الناس بالآخرة فانى لا اغنى عنكم من الله شيئاً،
يا معشر القريش: ان الله قد اذهب عنكم نخوة الجاهلية و
تعظمها بالآباء،

ايها الناس! ربكم واحدو ان اباكم واحد، كلكم لآدم و آدم
من تراب، (ثم تلا) يا ايها الناس انا خلقنكم من ذكر و انثى، و
جعلنكم شعوباً و قبائل لتعارفوا، ان اكرمكم عند الله اتقاكم،
ان الله عليم خبير، و ليس لعربى فضل على عجمى، ولا
لعجمى فضل على عربى، ولا اسود على احمر ولا احمر على
اسود الا بالتقوى، لا هل بلغت؟ اللهم فاشهد، قالوا نعم-

ايها الناس! قد ئيس من الشيطان ان يعبد فى ارضكم هذه
ابداً، ولكنه قد رضى ان يطاع فيما سوى ذلك مما تحقرون
من اعمالكم فاحذروه على دينكم،

ايها الناس! انما النسئى زيادة فى الكفر يضل به الذين كفروا
يحلونه عاماً و يحرمونه عاً مالىو اطوا عدة ما حرم الله فيحلوا
ما حرم الله و يحرموا ما احل الله، كانوا يحلون صفر عاماً،
و يحرمون المحرم عاً ما فذلك النسئى،

وان الزمان قد استدار كهيئة يوم خلق الله السموت والارض

وان عدة الشهور عند الله اثنا عشر شهرا فى كتاب الله يوم خلق السموات والارض، منها اربعة حرم، ثلاثة متواليات، و واحد رد: ذولقعدة و ذوالحجة، والمحرم، و رجب الذى بين جمادى و شعبان، ذالك الدين القيم فلا تظلموا انفسكم، الا هل بلغت؟ اللهم فاشهد،

ايها الناس! ان النسائكُم عليكم حقا و لكم عليهن ان لا يوطئن فرشكم غيركم تكرهونه ولا يدخلن احداً تكرهونه بيوتكم لا باذنكم، ولا ياتين بفاحشة بينه، ولا يعصين فى معروف، فان خفتم نشوزهن، فان الله قد اذن لكم ان تعظوهن، و تعضلو من تهرم و هن فى المضاجع و تضربوهن ضربا غير مبرح، فان انتهين، و اطعنكم فعليكم رزقهن، و كسوتهن بالمعروف،

و انما لنساء عندكم عوان لا يملكن لانفسهن شيئا، وانكم انما اخذتموهن با مائة الله، و استحلتتم فروجهن بكلمات الله، فاتقوا الله فى النساء، و استوضوا بهن خيرا،

ارقائكُم ارقائكُم، اطعموهم مما تأكلون، و اكسوهم مما تلبسون، و ان جاءوا بذنب لا تريدون ان تغفروه، فبيعوا، عباد الله، ولا تعذبوهم، الا اهل بلغت؟ اللهم فاشهد-

ايها الناس! اسمعو و اطعوا و ان امر عليكم عبد حبشى مجدع اقام فيكم كتاب الله،

فاعقلوا ايها الناس! و اسمعوا قولى فإني قد بلغت، و قد تركت فيكم امراً بيناً ما ان اعتصتم به، فلن تضلوا ابداً، كتاب

اللَّهُ و سنة نبية فاعملوا،

ايها الناس! اسمعوا قولي فاني قد بلغت واعقلوه تعلمن ان كل مسلم اخوا المسلم و ان المسلمين اخوة، فلا يحل لإمرى مال اخيه الا ما اعطاه عن طيب نفس منه، فلا تظلمن انفسكم، الا لا يحل لا مرأة ان تعطى من مال زوجها شيئاً الا بإذنه، الا اهل بلغت؟ اللهم فاشهد،

ايها الناس ان الله قدادى الى كل ذى حق حقه و ان لله قد قدم لكل وارث نصيبه من الميراث، ولا يجوز لوارث و صية ولا يجوز فى اكثر من الثلت،

الا وان الولد للفراش وللعاهر الحجر و حسابهم على الله، الا و من ادعى الى غيرايه او تولى غير مواليه و رغبة عنهم فعليه لعنة الله والملائكة والناس اجمعين، لا يقبل الله منه صرفا ولا عدلا،

ألا لا يجنى جان الا على نفسه الا لا يجن جان على ولده ولا مولود على والده،

ايها الناس انه لا نبى بعدى ولا أمة بعدكم (و فى مجمع الزوائد) الا كل نبى قد مضت دعوته الا دعوتى فاني قد دخرتها عند ربى الى يوم القيامة، فان لأنبياء مكاثرون فلا تخرونى، فاني حابس لكم على باب الحوض،

الا فاعبدوا ربكم، و صلوا خمسكم، و صوموا شهدكم، و ادوا زكاة اموالكم طيبة بها انفسكم (و فى رواية) و تحجون بيت ربكم، و اطيعوا ولاة امركم تدخلوا جنة ربكم،

قال! و أمرنا بالصدقة فقال تصدقوا فاني لا ادرى لعلكم لا تروني عبد عامي هذا،

روقت لأهل اليمن يللمم ان يهلوا منها و ذات عرق لأهل العراق او قال لأهل امشرق،

انبئكم من المسلم؟ المسلم من سلم المسلمون من لسانه و يده، انبئكم من امؤمن؟ المؤمن من آمنه المسلمون على أنفسهم و أموالهم، أنبئكم من لمهاجر؟ المهاجر من هجر السيئات مما حرم الله عليه، والمجاهد من جاهد نفسه في طاعة الله،

والمؤمن حرام على المؤمن كحرمة هذا اليوم لحمه عليه حرام ان يأكله بالغيبة واذاه عليه حرام ان يؤذيه، و عليه حرام ان يرفعه دفعةً تعنيه، يفتابه و عرض عليه حرام ان يخرفة، ووجه عليه حرام ان يلطمه،

لا تالو على الله فانه من تالى الى الله اكذبه الله،

واني مسؤل و انكم مسؤلون، و انتم تسألون عنى فما أنتم قائلون؟ قالوا: نشهد انك قد بلغت، و اديت و نصحت فجزاك الله خيراً، قال الستم تشهدون ان لا اله الا الله وان محمدا عبده و رسول ه، و ان جنة حق، و ناره حق، و الموت حق، و ان الساعة آتية لا ريب فيها و ان الله يبعث من فى القبور، قالو انشهد بذلك، فقال باصبعة السبابة يرفعها الى السماء و ينكثها الى الناس اللهم اشهد ثلث مرات،

ثم قال ايها الناس انى فرطكم و انتم واردون على الحرص،

حوض عرضه ما بين بصرى و صنعاء فيه عدد النجوم قد حان
من فضة، و انى سائلكم حين تردون على عن الثقلين فانظروا
كيف تخلونى فيهما الثقل الأكبر كتاب الله سبب طرفه بيد
الله، و طرف بايديكم فتمسكوا به لا تضلوا ولا تبدلوا، و
عترتى اهل بيتى و انه قد نبانى اللطيف الخبير انهما لن يفتر
قاحتى يرد اعلى الحرص،

ان الصدقة لا تحل لى و لا لأهل بيتى اخذ و برة من كاهل
ناقة فقال لا والله ولا ما يساوى هذا و ما يزن هذا،
و قال فليبلغ الشاهدا لغائب فلعن بعض من يبلغه ان يكون
ادعى له من بعض من سمعه، الا هل بلغت،
والسلام عليكم و رحمة الله،

و عن الشعبى قال! نزلت على النبى صلى الله عليه و سلم
”الْيَوْمَ أَكْمَلْتُ لَكُمْ دِينَكُمْ، وَ أَتَمَمْتُ عَلَيْكُمْ نِعْمَتِي، وَ
رَضِيتُ لَكُمُ الْإِسْلَامَ دِينًا“، قال نزلت وهو واقف بعرفه
حين وقف موقف ابراهيم، واضلح الشرك، و هدمت منا

الجاهلية، ولم يطف بالبيت عريان (١)

“All praise is for Allah, we praise and eulogise him and ask him for forgiveness, and to him we repent and to him we take refuge from the evil of our souls, and the wickedness of our deeds. Whomever ALLAH guides, none can lead him astray and whomever ALLAH leads astray, there is none to guide him, and I bear witness, that there is no deity besides ALLAH, He is one and has no partners, and I bear witness that Muhammad is His servant and Messenger. Oh servants of ALLAH! I leave you a testament that you may fear ALLAH, I prepare you for obeying Him and I start my talk with what is best (i.e. Hamd-o-Thana) Amma bad people, listen to what I say you will be revived by it. I will talk to you in

very clear terms because I think that I and you will not meet again at this place anymore."

Then he gave a long description of the trial of Messiah and Dajjal and then he said whichever messenger was sent by ALLAH did warn his Ummat of the Dajjal. Sayyidina Noah  did warn his people and the Prophets which came after him did warn their people, (may Allah's peace and blessings be on all Prophets) There is no doubt that he will appear among you. No condition of his remains a secret for you, also not the fact that he is blind on his right eye which is protruding like a swollen grape. Give me your fullest attention, no condition of his remains a secret for you (He repeated his words to emphasize them.) This is also not hidden from you, that your Lord is not one-eyed.

"People! What day is this?" The people answered that is the holy day. Then he asked "what city is this?" The people answered that this is the holy city. Then he asked: "what month is this and the people replied that it is the Holy Month. Then he said:

"No doubt your blood, your wealth, your honours, your dwellings, your children are sacred, just like this day of yours, in this month of yours in this city of yours is sacred (i.e. it is unlawful to violate their sanctity) No doubt in near future you will be gathered before your Lord and he will ask you about your deeds, did I convey the message? Then says the narrator, we answered "yes, you conveyed the message," and he called Allah to witness.

"Whoever has with him anything entrusted, should return the trust, loans should be repaid, any borrowed items should be given back, camels lent out for their milk should be returned after milking them, and a sponsor is responsible for sponsorship. And I am the first to finish all claims based on interest due to Sayyidina Abbas bin Abdul Muttalib and I also abolish all the claims to revenge murder from the age of ignorance, and I am the first to give up claim from my own clan. I give up the claim to revenge the murder of Rabiah Bin Harith bin Abdul Muttalib who was suckled by Bani Laith and killed by some men from the tribe of Huzail. All traces of ignorance, blood feuds, claiming dishonestly someone else's water, wealth, all those things are trampled below my feet, but the guardianship of the House of Allah, and the office of providing water

to the pilgrims remains in the same hands as before. A killer be killed in retaliation for intentional murder and for unintentional murder the retribution is to give 100 camels, whoever gives or demands more than that is from among the ignorant people listen, did I convey the message? Allah be witness! Oh people of Quraish, listen! Let it not be that on the Day of Judgment you bring the load of worldliness tied to your necks, when other people bring deeds beneficial for the Hereafter, I will not be able to help you against Allah.

Oh Quraish! Allah has purified you from the haughtiness of the age of ignorance and from its ancestral pride. People, your lord is one and your father is one, all are born from the loins of Sayyidina Adam عليه السلام and Sayyidina Adam عليه السلام was made from clay. Then he recited one Ayah from the Holy Quran:

“Oh people, We brought you forth from a man and a woman, and divided you into different nations and tribes so that you may know each other. The most honourable in the sight of Allah is the one who is most god-fearing. No doubt Allah is Wise and Aware.”

No Arab is superior to a non-Arab and no Non-Arab is superior to an Arab; and no red-skinned person, is superior to a black-skinned person, and no black-skinned person is superior to a red-skinned person except with regards to piety. Did I convey the message? Allah, be witness!

People! It is a fact that the devil has become frustrated because in this your Arab homeland idols will never be worshipped again, but he is well pleased with the fact that you will follow his instigations in other things than worship (i.e. sins), which you consider as a trifle only. Do not commit this blunder regarding your religion.

People! To shift the holy month foreward and backward is nothing but an increment in disbelief. Only the pagans are prone to commit that error. In one year they declare the holy months to be like normal months and in the next year they take it as holy, as to complete the fixed number of holy months in this manner whatever Allah has declared as sacred, they desecrate it, and whatever Allah had declared to be ordinar, they hallow it. So in one year Safar is treated like and ordinar month and in the next year they make it holy, likewise in one year they let Muharram be holy and in the next year they let it be like any other month. Now the measure of time has

returned to what it was, when Allah the Great created the heavens and the earth, and the number of months with Allah is twelve, four of them are holy. Three of them come in succession, zul Qadah, zul Hajj and Muharram; and one is separate, Rajab, which come between Jamadius-Sani and Shaban. Religion is thus established, so don't oppress yourselves. Did I convey the message? Allah be witness! People, your wives have got rights over you and you have got rights over them. Your right over them is that they don't let anyone sit on your bed, and that they don't let anyone enter your house whom you dislike, unless they have your permission. And their not committing any act of disobedience or indecency in what is good. Well, if you fear rebelliousness from their side, then Allah the Lord of Honour gives you permission to admonish them, to separate them from your beds and to beat them but not so hard that any trace is left. Then if they obey you, they have according to the holy law all rights to mild treatment as before. No doubt women are dependent on you. They are not capable to manage affairs on their own. And no doubt Allah gave them to you with security and they have become your legal spouses by the decree of Allah the Sublime, therefore fear Allah with regard to women, and treat them leniently." Then the Holy Prophet ﷺ said twice very emphasizingly.

"Be kind to your slaves, be kind to your slaves. Feed them the same you eat and dress them with what you clothe yourselves. If they commit such a mistake which you cannot forgive them, then oh slaves of Allah, then sell them, but do not punish them, Listen did I convey the Divine message? Allah be witness!

People, listen to your ruler and obey him even if he be an Ethiopian slave with a cut off nose, as long as he governs you according to the Book of Allah.

People act wisely! People listen to what I have to say! I conveyed the Divine message to you, and I go, leaving a thing full of light for you. If you hold unto it, then you will never go astray. That is the Book of Allah and the Sunnat of his Prophet ﷺ. Act according to these two. People, for sure I fulfilled my obligation of delivering the message, understand it well that every muslim is the brother of a muslim and the whole community of muslims is a brotherhood. It is not lawful for anyone to seize his brother's wealth, unless he gives it happily on

his own. Attention! It is not permissible for any woman to give out of her husband's wealth anything to anybody unless with his permission. Did I convey the message? Allah, be witness! I warn you, do not return to disbelief after me in a way that some Muslims start cutting the throats of other Muslims. Listen, Did I convey the message to all of you? Allah, be witness!

Oh children of Adam! Allah the Most Exalted has close watch over the dues of those who are entitled to receive, and Allah has allotted to each heir a certain share of the inheritance, so do not make any will to benefit any of the heirs (to whom already a share has been allotted.) and to make a will (for others than the heirs) about more than one third of the property is not permissible.

Listen! The child is for the one who owns the bed on which it is born, and for the adulterer is the stone, and to take them to account is for Allah. Whoever calls because of hatred anyone else than his real father, his father, or any slave who calls anyone else than his real master, his master, such a person deserves Allah's curse, and the curse of the angels and the whole mankind, and there is no way for him to ransom himself.

Listen carefully! No criminal commits a crime, but against himself. No son gets the punishment for what his father does, and no father gets the punishment for what his son does.

People! After me there will be no more Prophet, and after you there will be no other Ummat. Listen my mission has abrogated all the missions of the prophets who were before me, and my mission is complete with the Lord till the Day of Judgement. It is true that all the prophets will take on that day pride in the number of their followers; do not disgrace me with you sins. I will wait for you at the gate of my fountain. Listen! Worship your lord, establish the five ordained prayers per day, keep fast in the month of Ramadhan and give the zakat due on your wealth with a happy heart. ((And acc to one tradition) And do perform the pilgrimage to the House of your lord, obey your rulers and enter the paradise of your lord.))

The narrator says, that the Messenger of Allah ﷺ ordered us in this speech also to give other than the obligatory charity, because it may be that we don't meet again after this year. (i.e. give charity in front of my

eyes, so that I may be your witness.) and the Holy Prophet ﷺ appointed Yalamlam as Miqat for the people coming from Yaman and for the people of Iraq or he said people of the east (the narrator does not remember) he appointed Dhat Irq as Miqat (i.e. place to enter the state of Ihram).

I ask you, who is a Muslim? A Muslim is he from whose tongue and hands other people are safe. Should I not tell you who is a Mumin? A Mumin is he, from whom people's life and wealth are safe. And should I not tell you, who a Muhajir is? A Muhajir is he, who leaves what Allah has forbidden. And Mujahid is he, who fights his base self in the path of Allah. Seizing the wealth of a believer is a sacrilege for another believer, just like violating the hallowness of this day is a sacrilege. Similarly eating his flesh is forbidden, and eating his flesh means to backbite him. Similarly is his face hallowed, so do not shoot anything at his face. Also troubling him is sacrilegious, and to trouble him means to push him, just for the sake of hurting him.

Abstain from making oaths on what Allah will do, because Allah will make clear that these oaths are lies. And Allah will question me, and he will question you about me whether I conveyed the Divine message, so tell me, what will you say? "The listeners answered: "We bear witness that you conveyed the message of Allah and told us about His orders and that you fulfilled your duty of preaching and that you were a perfect well-wisher and admonisher for us. May Allah reward you abundantly."

Then he asked: "Are you not bearing witness to this that there is none worth to be worshipped besides Allah and that Muhammad is His slave and messenger, and that Paradise and Hell are true, that death is true and that the Day of Judgement will certainly come and that Allah brings the dead back to life? "The people present answered: "We bear witness to all this." After hearing this reply the Messenger of Allah ﷺ raised his forefinger towards the sky and said: "Allah, be witness! Allah, be witness. Allah, be witness!"

Thereafter the Holy Prophet ﷺ said: "People, I will arrive at my lake fountain before you arrive there. This lake fountain of mine is as vast as the distance from Basrah to Sana and there are as many vessels to drink from as there are stars in the sky, when you arrive

there, I shall ask you about the two weighty things (i.e. Quran and Sunnat). So consider well with how much fervor you should act according to these two. The weightier one is the Book of Allah. One part of it rests in the hands of Allah, and the other part is in your hands, so hold it tightly and do not stray from the right path, and do not make any changes in it. And my *عترت* are the members of my household. My Lord the Subtle, the Aware has been apprising me that these two (the book and *عترت*) can never be separated until they reach my (lake-fountain).

No doubts, neither Zakat nor Sadaqat are lawful for me, nor for the people of my household. I swear by Allah (there he plucked a hair from the neck of his camel) that even accepting as little of Zakat or Sadaqat, as this hair is, is not lawful for us. Let him who is present convey my message to those who are not. It might be, that they are better in preserving what I told you. People listen! Did I not convey the Divine Ordinances? Peace be on you.... and Allah's mercy."

Sayyidina Shabi *عليه الرحمة* says that at this time during the Holy Prophet's ﷺ stay in Arafat, this Ayat was revealed:

الْيَوْمَ أَكْمَلْتُ لَكُمْ دِينَكُمْ، وَاتَّمَمْتُ عَلَيْكُمْ نِعْمَتِي، وَرَضِيتُ لَكُمُ الْإِسْلَامَ دِينًا

"Today I perfected your religion for you and completed my favours on you and close Islam to be your religion."

(Al-Maidah, 5:3)

The Last remnants of polytheism had been eradicated and no one performed Tawaf of the Holy Ka'bah naked, as was the custom during the days of ignorance.

THE GREAT IMPORTANCE OF KHUTBAH HUJJATUL WIDA

1: HISTORICAL AND JUDICIAL IMPORTANCE

The well known historian and philosopher Lord J.E.D Acton(born 1839 in Naples, Italy; died 1902 in Tegernsee, Germany), who was also considered an authority on psychology and secular history made once a rather unscholarly statement, that authority spoils the character of man and complete authority spoils it completely (37). About the French Declaration of Human Rights he has said,

“This piece of paper is heavier than all the libraries of the world, and more regrettable than Napoleon’s Qashoon-e-Qahirah.”

Acton’s view is not free from exaggeration, but to say about the khutbah which the Greatest Benefactor of Mankind ﷺ gave on the occasion of his last Hajj, that although the skies and seasons have changed thousands of time yet never anything more sincere and sympathetic has been said about the dignity of man and human rights, saying this would not be an exaggeration. The well renowned non- Muslim biographer of the Prophet (Muhammad ﷺ, John Bagot-Gloob Pasha writes in his book “The life and times of Muhammad” as follows:

“This was the Holy Prophet’s ﷺ last Hajj. It was performed in march 632. It carries a mark of distinction since whatever the Messenger of Allah ﷺ said during this hajj will always be repeated, will always be followed. The historians have very well preserved the Khutbah of the Holy Prophet ﷺ which he delivered towards the end of his life, during his historical last Hajj in front of thousands of Muslims.

Usury was prohibited in it and the right of private ownership has been stated, blood feuds and adjustments in the calendar have been abolished. The lunar month was declared to be the basis of the calendar, good treatment of women has been emphasized, men were apprised that women are a trust from Allah about which they will be

questioned, Muslims were told to think of each other as brothers, racial pride has been scorned at. Towards the end of the sermon the Holy Prophet ﷺ asked the audience;

"Did I not apprise you of what you are supposed to do? Did I not fulfil my duty?"

The audience answered with raised voice:

"Yes, by the Lord, you did fulfill your duty." Upon this the Holy Prophet ﷺ looked towards the sky and said;

"Allah, be witness!"(38)

2: DAWATI, TABLEEGHI AND TARBIYATI IMPORTANCE OF THE KHUTBAH

The greatest Benefactor of Mankind ﷺ left Madinah Munawwarah for performing Hajj, to meet the Muslims, to impart religious knowledge, and to teach them the rites of Hajj. He set out to make them bear witness to the ultimate truth, to take pledge from them and to erase the last traces of the age of ignorance and to trample its remainders under his blessed feet, so that they would never rise again.

This last Hajj had a greater impact than a thousands of lectures and discourses could ever have. As a matter of fact, this last hajj was a moving madrassah, mosque and camp, where an ignorant would be enlightened with knowledge, where the unaware would awake to awareness, where the dull and lazy would become alert and lively, where the weak would become strong. A cloud of mercy shaded them throughout the journey, this cloud was due to the Prophet's ﷺ love and affection, his grooming and his training he provided to the masses.(39)

The Romanian Seerat-writer Gonston Withreel George depicts the importance of the Prophet's ﷺ Khutba Hujjatul Wida from the Da'wati and Tableeghi point of view as follows:

"When we read this Khutba, then in spite of us being Europeans and neither hearing the voice of the Messenger of Islam ﷺ nor being present in this gathering, we cannot be but impressed. So what can then be said about those who were present at the Mountain of Mercy, hearing the voice of the

Messenger of Islam ﷺ, looking at him? The speeches of the Arabs were very moving, their intellect could deduce things which we today can hardly imagine. This Khutbah had and has a great impact on Islam.”(40)

THE GREATEST DECLARATION OF HUMAN RIGHTS

Everywhere is nowadays great ado about the rights of man, but who does not know that all the noise is nothing but a veil. The ugly face of reality under that veil is that worldwide anarchy and disregard for the rights of men prevails. In this jungle a noble spirited person is trodden under the feet of a mob of liars and traitors. In the present age ever new methods are invented for oppressing and torturing humans, and these methods are more horrifying than anything we can find in even the darkest ages of man's history.

Those nations who make so artfully and deceptively lots of noise about human rights are also the foremost to suck the marrow out of the bone of mankind.(41) The Greatest Benefactor of Mankind, the leader of Arabs and Non-Arabs, Guide for the whole world, Sayyidina Muhammad Mustafa, Ahmad Mujtaba ﷺ has given, and that is an irrefutable fact, the very first, most comprehensive and most universal, eternal, absolutely unprecedented declaration of human rights, meant for the whole mankind, independent of their colour, race, state or nation. The Greatest Benefactor of Mankind ﷺ has not made this declaration due to some temporal socio-political circumstances, rather this message contains an everlasting endowment, which the most beloved Messenger of Allah ﷺ left for us. In this message he left the fundamental outlay for human rights which are unalienable and unalterable, in such an excellent manner that mankind simply cannot be proud enough of it.

The famous contemporary Seerat-writer Dr. Muhammad Hameedullah writes:

"The Khutbah of the Holy Prophet's ﷺ farewell pilgrimage is like a constitution for the Muslim Civilization at any time of its history."(42)

A summary of it is given below:

Each individual has got three fundamental rights:

- 1: Security of life.
- 2: Security of wealth.
- 3: Security of honour.

❁ It is obligatory to return trust and to repay loan.

❁ The amount of interest accumulated during the days of ignorance which would have been due to pay, has been abolished, and only the original capital sum has to be repaid. The Holy Prophet ﷺ set an example by abolishing first of all the interest based money due to his paternal uncle Sayyidina Abbas ؓ.

❁ People were made to forget the unrevengeed blood which was spilled during the days of ignorance. Also there the Holy Prophet ﷺ made the first step by forgiving the murder of his cousin.

❁ Retaliation is to be taken in case of intentional murder and in case of unintentional murder a blood money of 100 camels is to be paid. The custom of intercalation and adjusting the months of a year is abolished, the calendar is according to the sighting of the moon, and a lunar year has got 12 months.

❁ Husband and wife have got rights on each other. The husband's right is, that his wife remains chaste and does not allow people whom her husband dislike, to enter the house. The wife's right is that her husband feeds and clothes her well. Women are to be considered a sacred trust, and one should fear God regarding their treatment.

❁ All Muslims are brothers. None can take his brother's wealth without the latter's permission, nor should they fight among themselves.

❁ I leave for you two weighty things. You will not go astray as long as you hold them tightly, namely the Book of Allah and the Sunnat. And I also urge you to take well care of your families.

❁ The lord of the whole mankind is one and the father of the whole mankind is one. You all were born from Sayyidina Adam and Sayyidina Hawa ؑ. The most

honourable from among you in the sight of Allah is the most god-fearing among you. No Arab has other wise any preference over a non-Arab and vice versa.

- ❁ God has allotted shares of the inheritance to the heirs, to make a will above one third of the property is not permissible.
- ❁ The child belongs to the owner of the bed and the adulterer gets the stone.
- ❁ To make wrong claims about one's descendancy and guardianship and to attempt doing so are accursed practices.

THE HISTORICAL NAMES OF THE KHUTBA HUJJATUL WIDA

It was Friday 9th Zul Hajj, 10A.H, corresponding to 6th March 632 C.E. when the Greatest Benefactor of Mankind Sayyidina Muhammad ﷺ delivered, in the plain of Arafat, his famous sermon Devout Arabs had come from all corners of the peninsula, and the Sahaba Akram ؓ had gathered, filled with love, high spirits and the burning desire to be with the most Beloved Rasool of Allah ﷺ. As far as the eye could see, there was an ocean of people, believers in the oneness of the Most Sublime and in the Prophethood of His slave Muhammad ﷺ, who gathered to hear whatever the Holy Prophet ﷺ wanted them to hear. The number of people who were in this blessed assembly, to hear the so very eloquent and superbly spoken words of His Nabi Muhammad ﷺ which have become famous as the "Khutbah Hujjatul wida" is estimated to have been 130,000. Because of its great importance this Hajj is also known as "Hujjatul Islam (43), "Hujjatul Balagh" (44), "Hujjatul taman" "Hujjatul Kamal".(45)

THE KHUTBAH AND SOME OF ITS ARTICLES REGARDING HUMAN RIGHTS

Below is given a list which contains all the regulations of the Khutba, thereafter follows a comparison of those regulations mentioned in the khutbah and the customs of the pagan Arabs, other big cultures of the past and also societies of the present age, esp. the west, so that the light emitting from the Khutbah and its eternal truth may

pervade and overcome all what is besides it!

- ❁ People listen, it will give you life! I will talk very clearly to you, because I don't know if we will come together again at this place after this year. (The Messenger of Allah ﷺ apprehended his departure from this world)
- ❁ People, what day is this? Every one present answered that it is the sacred day. There after he said: "No doubt your blood, your wealth, your honour, your lives are sanctified, just as this day of yours, this month of yours, this city of yours are sanctified, and they will continue to be so till you meet your Lord. No doubt, soon you will meet your Lord, then he will question you about your deeds. Listen, did I convey the message? "When the people answered "eyes", he called Allah to be witness.
- ❁ Whoever has been entrusted with something should return the trust. Whoever has taken a loan, should pay it back, whoever borrowed something should return it, whoever borrowed a camel for its milk should return it after milking, and a sponsor is responsible for sponsorship.
- ❁ Listen very well, all evil matters are trampled below my feet, and all usurious transactions are abolished, but you have the right to demand back the capital sum you gave. Neither shall you oppress nor shall you be oppressed. Allah declared all usury to be null and void, and I declare to be void all usurious claims my paternal uncle Sayyidina Abbas bin Abdul Multalib has, and I declare to be void all blood feuds, and I forgive a case of retaliation from my own household, that is the murder of Rabiah bin Haris, who was with the tribe of Banu Laith for suckling and was killed by the some men of Banu Hudhail. All traces of the age of ignorance, blood feuds, claiming unlawfully someone else's water or wealth, all those things are trampled below my feet. But the guardianship of the House of ALLAH and the office of providing water to the pilgrims shall remain in the same hands as before. A killer be killed in retaliation for intentional murder, and for unintentional murder like with a club or with a

stone, 100 camels are to be give as blood money. Whoever gives or demands more than that is from among the ignorant people.

- ❁ Oh people of Quraish! ALLAH has purified you from the haughtiness of the age of ignorance and from its ancestral pride; people, your Lord is one and your father is one, all are the offspring of Sayyidina Adam ﷺ and Sayyidina Adam was made from clay. Then he recited the Ayat:

“Oh people, you were brought forth from a man and a woman, and We made you different nations and tribes so that you may know each other. The most honourable in the sight of Allah is the most god fearing. No doubt, ALLAH is wise and ever aware.”

No Arab is superior to a Non-Arab and no Non-Arab is superior to an Arab, and no black-skinned person is superior to a red-skinned person and no red skinned person is superior to a black-skinned person except with regard to piety.

- ❁ Do not oppress each other

- ❁ Oh people, your wives have got rights over you and you have got rights over them. No doubt, you have got them with security from ALLAH, and they have become your legal spouses by the decree of ALLAH the Sublime, therefore fear ALLAH regarding women and treat them lenient.

- ❁ Further he said emphasizingly: “Your slaves, your slaves! Give them to eat what you eat and dress then the way you dress yourselves. And if they commit such an error which you cannot forgive them, then oh slaves of Allah! Then sell them, but do not punish them. Listen, did I convey the message? ALLAH be witness!

- ❁ People, for sure I fulfilled my obligation of delivering the message. Understand if well that every Muslim is the brother of a Muslim and the whole community of Muslims is one brotherhood. It is not lawful for anyone to seize his brother's wealth unless he gives it happily on his own.

- ❁ Oh children of Adam, ALLAH the Majestic has close

watch over the dues of those who are entitled to receive, and Allah has allotted to each heir a share of the inheritance.

- ❦ Listen to carefully! No criminal commits a crime but against himself. No son is liable for punishment for his father's deed, and no father is responsible for what his son does.
- ❦ I ask you, who is a Muslim? A Muslim is he from whose tongue and hands another people are safe. Should I not tell you who a Mumin is? A Mumin is the from whom peoples lives and wealth are safe. Seizing the wealth of a Muslim is a sacrilege for another Muslim just like violating the hallowness of this day is a sacrilege. Likewise eating his flesh is forbidden and eating his flesh means to backbite him. Likewise his face is sanctified, so do not shoot anything at his face. Troubling a Muslim is also a sacrilege and troubling him means pushing him for the sake of hurting him.
- ❦ Further he said: "Let him who is present convey my message to those who are not. It might be that they are better in preserving what I told you. Listen, did I convey the message? Peace be on you and ALLAH'S mercy."(46)

CHAPTER 1

(A)

THE GLORIOUS QUR'AN AND HUMAN RIGHTS

What should be man's rights and duties in his individual and social activities? The Holy Qur'an gives us the answer. In it is give a full scheme of how to live as a perfect human being. One part of this scheme is our moral and spiritual grooming, which if followed sincerely, casts each individual's life and his actions into the right mould.

- ❁ Our socio-political affairs and the different grades of human relationship are regulated by it.
- ❁ It provides regulations regarding our economic affairs, i.e. the generation and distribution of wealth and the allotment of wealth to those who have a right on it.
- ❁ One part of this scheme offer regulations for our political affairs; for its effectiveness different ranks in the government are required.

The sole purpose of this scheme is to organize man's life in an agreeable way and to purify it from all which could make it disagreeable. This scheme shapes the society according to the "Fitrah" (nature) in which God created man, so that all the good which has been placed in us remains unaltered. From all sides we are helped to make social life reach ever new peaks, and all kinds of obstacles which might come in our way towards prosperity are removed. All evils which are against the "Fitrah" are being obliterated completely, and similarly are the root causes of those evils. All ways for evil to penetrate the harmonious life as presented by the Holy Qur'an, are closed, and if in spite of all efforts it still raises its ugly head, it is fought with harshness and severity.

The injunctions about bidding good and forbidding evil cover all aspects of individual and communal life. This scheme is a complete outlay of a well-organised life-style and its objective is to balance rights and duties of each

member of society. Each part of this scheme is coordinated with the other, dependent on the other, just as the movements of the body and its limbs are coordinated and dependent on each other for perfect functioning.

One part of this scheme is a charter of human rights. The unlettered Prophet from among the Arabs presented this charter long before the United Nations and long before mankind could record such heights of material progress as it does today.

1: INDIVIDUAL RIGHTS

RELIGIOUS FREEDOM

“There is no compulsion in religion. Verily the right path has become distinct from the wrong path.”

(2,256)

“And had your Lord willed, those on earth would have believed, all of them together; so will you then compel mankind, until they become believers?”

(10,99)

That means all what could guide man towards faith has been said. Now the only way to bring those who do not believe into the fold of Islam is by force, but that is not a part of the Divine plan. Allah has given man the authority to accept or reject the truth.

PROTECTION OF MAN'S HONOUR

“Oh you who believe! Let not a group scoff at another group, it may be that the latter are better than the former. Nor let (some) women scoff at other women, it may be that the latter are better than the former. Nor defame one another, nor insult one another by nicknames. How bad is it to insult one's brother after having Faith. And whosoever does not repent, then such indeed are wrongdoers.”

(49.11)

To attack someone else's honour, vexing someone, suspicion, are reasons which give birth to enmity between people. If those reasons are combined with other evils, then the possibility for the rise of great trials and

mischief (fitnah) is given. Islam supports and protects the honour of each individual and none has the right to undermine this honour.

PROTECTION OF PRIVACY

“Oh you who believe! Avoid much suspicion; indeed some suspicions are sins. And spy not, (neither backbite one another.)” (49,12)

That means do not look for other people's faults, do not spy into someone else's affairs, do not read someone else's mail, do not eavesdrop or peep into someone's house or whatever other way there might be to get to know about anyone's private affairs, such an intrusion into anyone's personal matters is a very bad character trait, closely linked with other evils. Every person has got the right to protect his private life and no one may intrude in his affairs against his will.

THE RIGHT TO CLEAR ONESELF OF CHARGES

“You show friendship to them in secret, while I am All-Aware of what you conceal and what you reveal.” (60,2)

This refers to one of the companions, Habib bin Abi Balta'a who also participated in the battle of Badr. He was caught sending letter to the pagans residing in Makkah. The contents of this letter warned them of an impending attack by the Muslims. In spite of being accused of such a serious crime, His Holiness the Messenger of Allah ﷺ gave him the possibility to clear himself of the charges. From this becomes clear that no matter of what crime one has been accused, the meting out of punishment without the accused defending himself is against the rights of man. Islam has granted the right to defend oneself again and again.

TO EXPRESS ONE'S OPINION FREELY

“... And those who conduct their affairs by mutual consultation...” (42,38)

“... And ask (Allah's) Forgiveness for them, and consult them in the affairs. Then when you have taken a decision, put your trust in Allah. Certainly Allah loves those who put their trust in Him).”

(3,519)

2: SOCIAL RIGHTS

EQUALITY OF MEN

“It is not for a believer, man or woman, when Allah and His messenger (ﷺ) have decreed a matter, that they should have any option in their decision.”

(33,36)

This Ayat was revealed when the Holy Prophet ﷺ gave his cousin Sayyidah Zainab bint رضي الله عنها Jahsh in wedlock with his freed slave Sayyidina Zaid رضي الله عنه. Sayyidah Zainab رضي الله عنها, in spite of her noble ancestry, gave willingly in to marry someone of a much lower status than herself. Thus the idol of ancestral pride was broken, and a great demonstration of the equality of man was given. This equality forms the fundament of all further social dealings.

EQUAL RIGHT TO RECOMPENSATION

“Men and women who remember Allah much, Allah has prepared for them forgiveness and a great reward.” (33,35)

This is one of the basic principles of Islam which has been expressed in this short, yet concise statement. Men and women in spite of their fulfilling different biological functions and thus having different obligations have the same right regarding their recompensation for their good deeds.

TO TREAT PARENTS NICELY

“And We have enjoined on man to be good and dutiful to his parents.” (29,8)

The ones who have got the greatest right on someone are his parents. To treat them nicely is important for establishing a sound social system.

THE SANCTITY OF HUMAN LIFE

“And those do not kill such a person as Allah has forbidden except for a just cause.” (25,68)

To kill someone without a just cause has been equalled with killing the whole mankind. To consider human life as

sacred is essential for any political system, if it is supposed to survive. The sanctity of human life is one of the cornerstones of the rights of man. No system whatsoever can survive without it.

RIGHTS OF SPOUSES

“And among His signs is this, that He created for you wives from among yourselves, that you may find repose in them, and He has put between you affection and mercy.” (30,21)

For establishing a chaste and pure society it is necessary that those who have reached maturity get married. Only thus it is possible that life on social level does not get polluted with the excesses committed due to carnal desires. Marriage is the legal way to give vent to one's biological needs. Due to marriage one finds peace of mind and contentment of heart, one develops thus the quality of pure love which is not just based on some fancy or the result of a lustful glance, and one develops this tender feeling of mercy and affection which is essential for the continuation of the human race. The members of a culture are linked by branches of that true deep love which exists among spouses; due to which families, clans, tribes and nations can flourish. Because of marital life being such an important foundation of social life, Allah caused His Beloved Rasool ﷺ to give the best example, that its decree of holiness and sanctity equals that of any act of worship performed for His sake.

3: POLITICAL RIGHTS

THE FIRST INJUNCTION FOR AN ISLAMIC SYSTEM OF GOVERNING

“Oh you who believe! Obey Allah and obey the Messenger (ﷺ) and those of you who are in authority.” (4,59)

This Ayat of the Holy Quran is the first and fundamental principle of governing in Islam. Obedience of the Holy Prophet ﷺ is the only practical way of obeying Allah. He is the only authentic transmittor of Allah's commandments. To obey one's rulers is a condition for obeying Allah and His

Prophet ﷺ.

THE RIGHT TO RECEIVE GENERAL AND SPECIFIC EDUCATION

In Islam general and specific education are a basic right in the political system,

“Of every troop of them, a party only should go forth, that they (who are left behind) may get instructions in religion, and that they may warn their people when they return to them, so that they may be aware.” (9,122)

THE RIGHT OF POLITICAL GUARDIANSHIP

In the Islamic political system only such people have the right on guardianship. who live in the limits of an Islamic state. But matters concerning the Islamic brotherhood and international responsibilities, guarding ethical boundaries, and helping the oppressed Muslims are responsibilities of any Islamic government.

“Verily those who believed, and emigrated, and strove hard, and fought with their property and their lives in the cause of Allah as well as those who gave them asylum and help-these are all allies to one another. And as to those who believed but did not emigrate, you owe no duty of protection to them until they emigrate, but if they seek your help in religion, it is your duty to help them except against a people with whom you have a treaty of mutual alliance; and Allah is the All-Seer of what you do.”

(8,72)

THE RIGHT TO ELECT POLITICAL LEADERSHIP

For running the affairs of the state it is very important in the Islamic political system to elect the head of the state through the free will of the people and that he runs the affairs of the state with the consent of those people who are trusted by the nation. And he remains the head of the state as long as people want him to be. This is a compulsory and important clause of Islamic political system.

THE RIGHT TO GET IMPARTIAL JUSTICE

“I am commanded to do justice among you.” (42,15)

To provide equal and impartial justice to all the people is one of the responsibilities of an Islamic government. It makes the same laws and rules apply to everyone, so that no one suffers any excess.

THE SAME RIGHTS APPLY FOR ALL

The best system is that in which each and every person enjoys exactly the same rights as the other. There should be no such division into classes and castes in which a few select rule mercilessly over a vast number of rightless subjects. In an Islamic government no one is to be given preference over the other on base of his colour, ancestry, language or class. However due to disagreements in principles, and the right to govern is for those who accept the principles. The evil of Firawn's way of governing has been expressed in the Holy Qur'an as follows:

"Firawn exalted himself in the land and made the people sects, oppressing a group (i.e. the Children of Israel) among them; killing their sons and letting their females live. Verily he was a tyrant." (28.4)

4: ECONOMICAL RIGHTS

THE QUR'ANIC ECONOMICAL POINT OF VIEW

"Truly your Lord enlarges provisions for whom He wills and straightens (for whom He wills) Verily He is All-Knowing, All-Seeing. And kill not your children for fear of poverty. We shall provide for them as well as for you, surely the killing of them is a great sin." (17, 30-31)

The Ayat cited above make clear that disparity in provision is not bad in itself, there is no need to eliminate it, nor to create an artificial, classless society. The best mode of action is that good laws and ethics are developed, which instead of giving rise to injustice and oppression, let the disparity become a means of social blessings and spiritual elevation. To achieve this objective the Creator of the Universe did not distribute wealth equally among His servants.

Instead of attempting a reduction in the number of mouths to feed, man should rather attempt to explore new

ways of using resources to achieve an increment in provisions. Further it has been stated that: "Oh man, provisions are not in your hand but in the hands of your Lord who settled you on earth. Like He provided for the former people, He will also provide for the latter."

History is witness to the fact that as much as the world's population increases, as many new ways of enlarging provision are found.

CIRCULATION OF WEALTH

"In order that it may not become a fortune used by the rich among you." (59.7)

In this Ayat one of the basic economic principles of an Islamic state has been explained; that is the circulation of wealth among as many people as possible. It should not be so that the rich are getting richer and the poor are getting poorer day by day. That is why the taking of interest has been prohibited, the payment of zakat and payment of the fifth part of the booty have been made obligatory. Voluntary charity has been emphasized, several types of expiation are such that wealth goes from the hands of the rich into the hands of the poor. Laws of inheritance are such that a great number of people can derive benefit from the wealth of the deceased. The traits of greed and avarice have been condemned strongly. Whereas virtues like generosity and largeheartedness have been praised. In short, arrangements are such that domination does not rest with the well-off people and that assets flow from the rich towards the poor. (1)

(B)

THE MESSENGER OF ISLAM ﷺ AND HUMAN RIGHTS

A HISTORICAL AND INVESTIGATING STUDY

The Greatest Benefactor of Mankind ﷺ has provided us teachings full of light and everlasting truth regarding the dignity, nobility and respectability of the human race. He has left for us a very detailed outlay of human rights and all the obligations connected therewith.

It is not exaggerated to say that whatever he left for us is the truest, most applicable, most comprehensive and eternal documentation of human rights in the history of mankind.

THE MESSENGER OF ISLAM ﷺ AND HISTORICAL TREATIES WITH REGARD TO HUMAN RIGHTS

Besides the pure life our Beloved Nabi ﷺ led, and his sweet sunnah, which are the very cornerstone and implication of all that he taught man about human rights, he left also historical documents which show his sincere concern about man's rights. Especially worth mentioning is the truce of Fudool (Half-e-Fudool) which was made 37 years before Hijra in the month of Zul Qadah, corresponding to December 586. This was the first time, that steps were taken to maintain peace on the Arabian peninsula, esp. Makkah; to safeguard human rights and to assist the oppressed.

The well-renowned researcher and expert of international Law, Dr M. Hameedullah writes in 'Rasool Akram ﷺ ki siyasi zindagi':

"Those who pledged the 'Half-the-Fudool' pledged that they would unite to prevent the oppressors in Makkah from oppressing others and help the oppressed to get their rights." (2) It is undeniably and eternally true that four events in the pure life of the Holy Prophet ﷺ were the origin and non plus ultra in the history of the continuing struggle for the rights of man; these four events were

- 1: The Truce of Fudool (December 586/37 A.H.)
- 2: The Pact of Madina (623/1 A.H.)
- 3: The Sermon at the Conquest of Makkah (10. Ramadhan 8 A.H. /Jan. 630)
- 4: The Sermon of his last Hajj (9. zul Hijj 10 A.H./6. March 632)

Equally true is the fact that all of the Holy Prophet's ﷺ life was spent for the welfare of mankind, struggling for the rights of man and implementing the same. One of his blessed statements, entrancing by its preciseness and comprehensiveness, in which a few words suffice to remove all differences of colour, race, religion and nation, is the one narrated by Sayyidina Abdullah bin Masood ؓ. He says that the Messenger of Allah ﷺ declared:

"The whole creation is Allah's family, and Allah loves the one who does good to His family."

(Baihaqi)

As already explained above, the Holy Prophet's ﷺ contribution with regard to human rights in the form of "Half-e-Fudool" before Prophethood, the Pact of Madinah in the first year after Hijra (6623 C.E.), the Sermon at the Conquest of Makkah (8 A.H./ 630 C.E.), may Allah increase its splendour, are all milestones on the way of creating and evolving a human rights charter, there is no doubt in it.

HALF-E-FUDOOOL

THE FIRST HISTORICAL CHARTER OF THE RIGHTS OF MAN AND THE ROLE OF SAYYIDINA MUHAMMAD ﷺ

Half-e-Fudool (Zulqa'dah, 37 B.H. corr. to 586 C.E.) is in the history of Arabia, particularly in Makkah, the first ever truce which aimed at making peace, protecting basic human rights and especially to help the hapless and oppressed. Those who participated in the joined hands voluntarily to stop the oppressors and to fight for the rights of the oppressed. (3)

Most historians and Seerat writers have cited one incident to be the main cause for the Half-e-Fudool to come into being. According to this one man from the tribe of

Banu Zubaid brought some merchandise to Makkah for selling. Aas bin Waail purchased it without paying the price. The man went to the Quraish demanding justice, but of no avail since Aas bin Wail was an influential person. Once when the Quraish gathered around the Holy Ka'bah this man read a few verses to give vent to his hurt feelings. And so the Treaty of Fudool was formulated. (4)

However Syed Ameer Ali has a different story. According to him the famous poet Hanzalah of the tribe Bani Qais came to Makkah under the patronage of an influential person of the Quraish Abdullah bin Jad'aan, yet he was robbed in public. Another act of lawlessness laid the foundation of establishing rules to prevent such happenings in future. (5)

It was the initiative of Sayyidina Muhammad ﷺ that Banu Hashim, Abdul Muttalib, Waifam gathered together to pledge that Makkans or Non-Makkans, free or slave will have shelter within the boundaries of Makkah against any oppression or injustice. And that they will be compensated if anything untoward happened.

Sayyidina Muhammad ﷺ was one important member of this association. It provided peace and relief to those who were victimized. Already in the first year it had such a strong impact on life that the control of law and order became much easier than before.

The association remained a strong force till the first 50 years of Islamic history. (6)

Dr. Hameedullah writes:

"In a time when the strong dominated the weak not only in Arabia but everywhere else as well, it was a matter of pride for these Arabs that they voluntarily gathered together for the protection of the oppressed. The sincerity they showed through expedience in solving problems is a historical fact. Influential persons like Abu Jahal looked at the authority of the council with fright. The Holy Prophet ﷺ actively participated in the affairs of the council during the pre-Islamic days." (7)

Therefore it was due to the efforts of the Holy Prophet Muhammad ﷺ that Banu Hashim, Banu Abdul Mutallib,

Banu Asad bin Abdul Uzza, Banu Zahra bin Kalaab and Banu Yatam bin Marrah Abdullah bin Jad'aan, all chiefs of their respective tribes gathered at the house of the Holy Prophet ﷺ and Half-e-Fudool came into being. (8)

Dr. Hameedullah writes:

"There was one voluntary group in Half-e-Fudool, the purpose of which was to ensure that as soon as possible the oppressor compensates the oppressed regardless of the oppressed being a native or a stranger." (9)

The Holy Prophet ﷺ wholeheartedly contributed to this pledge of peace and justice. So much was his involvement and so important that once after being honoured with Prophethood he said;

"Even if I would have been given red camels in exchange of this pledge, I wouldn't have accepted. Even today if anyone invites me to this pledge I would come." (10)

The members of Half-e-Fudool declared the following to be the essential objectives of this historical undocumented treaty for basic human rights:

- 1: Remove unrest from Makkah
- 2: Ensure protection for travellers
- 3: Help the oppressed whether Makkans or Non-Makkans.
- 4: Stop the oppressors form oppression. (11)

The participants in Half-e-Fudool pledged in these words:

"By God we unite to be with the oppressed, to help him against the oppressor till he surrenders the dues of the oppressed. And we will do this as long as sea shells continue to be immersed in the sea and as long as the mountains of Hira and Thabir remain in their places and as long as there is equality in our economy." (12,13)

The last statement is important although historians are silent about the purpose of having it there. However it is quite clear that those who took the oath were not only willing to render services by providing material help, they

were even prepared to sacrifice their lives. (14)

Zubair bin Abdul Muttalib, the Holy Prophet's ﷺ uncle, mentioned the Half-e-Fudool in some of his couplets:

"Harith pledged to everyone that from now on no oppressor can stay in Makkah. Thereafter all took an oath to fight for the rights and security of the Makkans and those coming there from else where." (15)

The Greatest Benefactor of Mankind ﷺ played an important role in this pledge to support the oppressed, the Half-e-Fudool. He was well aware of the guest importance this pladge had as can be decluced of one of his statements which he made after being endowed with prophethood. He said:

"Ever if I would have been given red camels in exchange for this pledge, I wouldn't have accepted. Ever today if any of invites me to this pledge, I would come. (16)

Renowned biographer of the Holy Prophet ﷺ, Qazi Sulaiman Mansoorpuri while discussing the historical importance of this remarkable agreement, writes:

"In England, the order of "knighthood", the members of which agreed on similar terms, was founded centuries after this truce." (17)

We can therefore conclude that the Messenger of Allah ﷺ was the first to work towards the protection of the rights of man, their revival and practical implementation. And from here began the history of Holy Prophet's ﷺ struggle for human rights.

MEETHAQ-E-MADINAH/THE PACT OF MADINAH 623 A.D THE FIRST WRITTEN HISTORICAL DOCUMENT OF CIVIL RIGHTS

After attaining the glory of prophethood, Muhammad's ﷺ teachings on humanity and human rights provided a comprehensive eternal solution. In addition to this he gave clear guidelines on the preservation of human rights and their becoming an essential part of the Islamic way of life and Islamic constitution.

AN EXAMPLE OF THE HOLY PROPHET'S ﷺ POLITICAL INSIGHT AND PRUDENCE

The Pact of Madinah was not only an excellent example of the political insight and prudence of the Holy Prophet ﷺ, it was also a masterpiece document, upholding the principles of tolerance, peace, freedom, equity and justice. It was through this document that the Holy Prophet ﷺ provided such a legal system to the society which gave each and every concerned person protection of his/her rights in accordance with his/her faith or religion. The sanctity of human life was established.

Renowned historian and Seerat writer Dr. Hameedullah has proved through research and arguments that the pact of Madinah is the world's first written charter. (18)

To prove this point further, he also wrote a book in English entitled "The First Written Constitution in the World", which was published in Lahore in 1975.

He writes in *Ahd-e-Nabwi ﷺ main nizam-e-Hukmerani*:

"The general laws of a country in written form are everywhere. However a documented constitution of the land independent from the law of the land cannot be traced before the time of the Holy Prophet ﷺ. It is a priceless specimen of the legal mode of expression and documentation style of those days." (19)

The Pact of Madinah has 52 clauses. The first 23 clauses deal with regulations pertaining to Ansar and Muhajireen while the remaining part encompasses the rights and duties of the Jews. One statement was common in both parts, that the final court for appealing would be Sayyidina Muhammad Mustafa ﷺ. (20)

CONSTITUTIONAL RIGHTS AND THE PACT OF MADINAH

The Pact of Madinah shows the Holy Prophet's ﷺ deep understanding of law making and also confirms his leadership qualities and political insights at the time of formation of an Islamic state. Some of the clauses are mentioned below.

- 1: Every tribe of Ansar will be as a group responsible for the settlement of dues of the people of their tribe. If one person is taken as prisoner by the enemy, the whole tribe will pay the ransom.
- 2: In this regard the tribes of Ansar were known but the Muhajireen of Makkah were as a whole considered as a tribe.
- 3: Ensuring justice will not be assigned to the party which suffered the loss but will be the duty of all the Muslims. And no influence whatsoever will be of any use. No one will be allowed to give shelter to murderers and convicts.
- 4: The punishment of killing a Muslims wilfully is death.
- 5: Similarly the clauses regarding the Jews were to confirm that the institutions of Diyyat (blood money), Wilaa (ولاء) and Jawar (جوار) will continue functioning.
- 6: No one will be allowed to provide shelter to the Quraish and their allies.

THE FIRST EVER DOCUMENT ON "CIVIL RIGHTS" - THE PACT OF MADINAH, ITS IMPORTANCE AND REVOLUTIONARY IMPACT

The Pact of Madinah (1 AH/623 A.D.) is an important document on civil rights which, according to Dr. Hameedullah, contains 52 clauses. Its importance was realized by the European Christians more than by the Muslim historians *Willhousen, Muller, Gremley, Springer, Wahnsick, Caitan, Boll* were some of them. Ranke also thought it necessary to mention this document while writing a short history of the world. (21)

Dr. Hameedullah writes:

"The Pact of Madinah entails the rights and duties of the rulers and the people among other things.(22) A revolutionary reform for the Arabs that was brought about through this charter was that provision of justice was institutionalized instead of people or families themselves fighting for their rights. The Holy Prophet ﷺ was no exception to these laws. He made himself answerable to the law in case of any offence. This was refutation of the

common practice of "The king can do no wrong." When even the head of the state is answerable to the court of justice then other officials and the people also follow the system and their deeds are based on equity and justice."

THE SERMON ON THE OCCASION OF THE CONQUEST OF MAKKAH 630 A.D. THE FIRST CHARTER OF BASIC HUMAN RIGHTS

Among the various things that the Holy Prophet ﷺ taught us with regard to human rights and protection of humanity, the sermon given by him on the occasion of the Conquest of Makkah is of fundamental importance. The conquest of Makkah was the hallmark of Islamic governance with regard to peace, freedom, tolerance, equity justice and human equality.

This day the Holy Prophet ﷺ made standing at the door of the Holy Ka'aba, three announcements concerning human rights, the echo of which was heard after 1222 years, in 1852 in France on the Day of the revolution.(23)

The Holy Prophet ﷺ had announced the historical basic human rights charter in 630 A.D. On the other hand UN's so called Charter of Human Rights issued on 10.12.1948 has been called by the west the culmination of the movement for Human rights. While the Magna Charta issued in 1215 is called its starting point. That even was done only centuries after the charter issued by the Holy Prophet ﷺ, and it was merely a formality.

The important clauses of the Holy Prophet's ﷺ human rights charter "Sermon of the conquest of Makkah" are:

- 1: Declaration of peace
- 2: Declaration of freedom
- 3: Declaration of human equality. (24)

THE SERMON ON THE FAREWELL-PILGRIMAGE (632 C.E.) A UNIVERSAL AND ETERNAL CHARTER OF HUMAN RIGHTS

In the history of humankind, the only person who rightly gets the credit for starting the human rights movement and bringing it to its perfection is Sayyidina

Muhammad ﷺ His extremely important and effective part can be witnessed in the sermon he gave on the occasion of his last Hajj, on 9. Zul Hijj 10 A.H, corresponding to 10th March 632. This sermon is, without doubt, the first eternal and universal charter of human rights.

With regard to the wellbeing of humankind, the start and evolution of the struggle for human rights, this sermon proved its completeness and superiority over all attempts of human rights charters made by the west. This is a historical and irrefutable fact.

European historian Lord Acton said about the French "Declaration of the Rights of Man" that this piece of paper is heavier than the libraries of the world and more regrettable than Napoleon's (قشون قاهره). No doubt this statement is an exaggeration by Acton. Instead the following statement about the Khutba Hujjatul Wida is free from exaggeration, that although the skies and seasons have changed thousands of times yet never anything more sincere and sympathetic has been said about the dignity of man and human rights. (25)

To understand the importance of the Khutba and the historical role played by the Holy Prophet ﷺ with regard to human rights we should have a look at the human rights presented in the Sermon. Some are given below:

- 1: Protection of life, property, honour, and children
- 2: Right on a deposit, right to recover a loan
- 3: The historical announcement of abolishing interest: a tremendous boon for mankind
- 4: The right to a peaceful, harmonious co-existence
- 5: The right to protect ownership, self-esteem and position
- 6: The right of justice in connection with blood money
- 7: The right of human equality and the historical announcement of abolishing human pride and class-system
- 8: The historical announcement of women's rights
- 9: Right of slaves
- 10: Universal human equality and the right of

confraternity

- 11: The announcement of protection of Khutba Hujjatul Wida and its implementation.

Other details of the clauses of the Khutba Hujjatul Wida and a comparative analysis with old and new civilizations and religions of the world is presented in the chapters three and four.

With regard to human rights, the Holy Prophet's ﷺ sermon is so complete, so comprehensive and its various clauses so clearly worded that there is no chance for anyone to misinterpret it or to misuse it to serve their own agendas.

The various measures taken and directions given by the Messenger of Allah ﷺ with regard to human rights were already implemented and practiced in the Holy Prophet's ﷺ noble life in the Madinan society. They were an essential part of the Islamic code of life especially in Madinah. The same principles as were followed during the period of prophethood and the welfare - society of the four rightly-guided Caliphs who ruled after the Holy Prophet ﷺ (from 11-40 AH / 632-661 C.E), were followed in the later Islamic states, a fact recorded in the glorious history of Islam.

CHAPTER 2

THE SERMON OF THE FAREWELL – PILGRIMAGE AND WESTERN THEORIES OF HUMAN RIGHTS IN A COMPARATIVE STUDY

The Khutba Hujjatul Wida is the unprecedented, eternally true and universal constitution which the Messenger of Allah ﷺ presented to mankind on 9th of Zul Hijj 10 A.H. corr. to 6. March 632 and which he had implemented successfully ever since Hijra. One can easily say that this is the very first declaration of the rights of man which history has to offer. This Khutbah contains at least forty articles, all of them are based on marked steps and comprise fundamental considerations.

All of these articles guarantee the prosperity and welfare of mankind. These injunctions form a historical charter of the rights and duties of man.

The Greatest Well-wisher of Mankind, Leader of Arabs and Non-Arabs ﷺ did not make this charter to favour the members of any particular race, nation or to receive benefits from any community, any political office or whatever worldly benefit. His declaration of the rights of man was not just a plan, existing on paper, nor any artificial, impracticable charter or any program based on a whim, expectations or considerations and neither was it the outcome of political or temporal circumstances, nor was it made due to pressure of a certain strata nor was it issued under any threats, nor was it the completion of any contract. This declaration of human rights is in reality the very first of its kind, unprecedented and universal. It is a gift from the Crown of Mankind the Greatest Benefactor of Mankind, Sayyidina Muhammad ﷺ to the whole world. It states man's rights and duties in a perfectly balanced way, relieving the truly oppressed from their burden which is due to an artificial division of society into castes and classes based on ancestral and racial discrimination. This revolutionary and worldwide applicable distribution of

rights and duties gave a new lease of life to the whole Arab and non-Arab world, enkindling the flame which constitutes man's real dignity and nobility, and this flame will burn for all times to come.

Those so-called standard bearers of human rights living in the present age have no knowledge whatsoever about the historical origins of human rights or they purposely hide the truth due to their envy and prejudices, so that they may appear as the real well wishers of the human race.

But truth cannot be hidden like that and thus it is an undeniable fact that the true and Greatest Benefactor of Mankind ~~is~~ has formulated and implemented human rights at a time, i.e. the beginning of 7th century C.E., when no one had any idea about the actual rights and duties of man.

Let's have a short look at the Revolution of human rights "The people in the West claim that ideas about human rights were formulated first in the Greek civilization, five centuries B.C. and then they connect all their relations of political thinking with the decline of the Roman Empire towards the end of the fifth century. The period of sixth till tenth century C.E. seems to have disappeared from the pages of their history books. Why? Most probably because that was the era in which Islam was at its height." (1)

The initial striving for the establishment of fundamental human rights did not begin before the eleventh century C.E. in Britain, it was then King Conrad II who, in the year 1037 C.E., passed a bill regarding the power of the parliament.

In the year 1178 C.E. King Alfonso IX was made to consent to the principles laid down in the Habeas Corpus. On 15. June 1215 the Magna Charta was signed, which Dawletier calls the constitution of freedom. (As we have explained already), from this Magna Charta the fundamental human rights were understood only very much latter.

At the time of its drafting and signing its status was that of an agreement between the Barons of England and King John, which, besides protecting the interests of the Barons also established the status of the rulers. It had no concern

whatsoever with the rights of the peasants or the general public, which would justify the claim of the west that it is one of the most important historical documents regarding human rights.

Henry Marsh says: "It is nothing but an agreement between the feudal lords".

In the year 1355 the British parliament ratified the Magna Charta and sanctioned the "Due Process of Law" as legal code.

From the fourteenth till sixteenth century C.E. the Machiavellian philosophy prevailed in Europe which strengthened the position of the rulers and which declared the gaining of power to be the ultimate objective of life.

In the 17th century C.E. the theory of Natural Rights became popular, and in the year 1679 the British parliament sanctioned the Habeas Corpus.

In the year 1684 revolting soldiers gave the highest authority to the parliament and in 1689 the British parliament sanctioned the Bill of Rights, a document of great historical importance (acc. to the West). In the words of Lord Acton it is one of the greatest achievements of the British people, and it has been given the status of a step of great importance and perfection in the freedom movement of the British people. (This is, so to say, where the "Fundamental rights of man" found their beginning in the western world.)

On 12 June 1778 in the State of Virginia (America), George Mason declared that man has the right of religious freedom and the right to have a fair legal process.

On 4 July 1776, America announced its freedom and laid down a set of human rights based on the "Law of Nature".

In the year 1789 the American Congress presented ten amendments, known as the "Declaration of the Rights of Man: in 1792 Thomas Paine published his famous booklet "The Rights of Man."

In the 19th and 20th century different governments included the fundamental human rights in their constitutions.

In the year 1940 the famous writer H.G. Wells

presented an outlay of a human rights charter in his book "New World Order."

In January 1941 the American President Theodore Roosevelt appealed to the Congress to protect the four freedoms. In August 1941 the Atlantic Charta was signed. The purpose of this Charta was, in the words of Winston Churchill "to set and end to war by upholding human rights."

After the Second World War the phenomena of including human rights into the written constitution of a state spread even further. In 1946 France included the rights of man as stated during the French Revolution in 1789 in its constitution, Japan also included the fundamental human rights into its constitution, likewise did Italy in 1947. All these attempts culminated in the "Declaration of the Rights of Man" issued by the United Nations on 10.12 1948. This declaration includes all those rights which different western countries mentioned already in their own respective declarations plus all those rights which the human mind could possibly perceive. (2)

This was a short trip through the history of human rights in the west, starting in the 11th century C.E. (i.e. 1037) in Britain and ending 1948 with the "Declaration of the Rights of Man" by the United Nations. After this short review of the beginning of the human rights movement in the west follow some critical statements of different western thinkers and legal experts about those human rights which were "a gift form mankind for mankind."

The Human Rights Commission of the United Nations has sanctioned one report about the implementation of the U.N. Declaration of the Rights of Man from which one can easily guess the miserable and helpless state of the self proclaimed greatest protectors of human rights, the United Nations; and one can also guess the actual legal value of the Charter of the Rights of Man drafted by this same standard bearer of human rights:

"The commission admits that it does not have the power to take any action in matters of complaints concerning human rights." (3)

The legal expert Hans Kelson puts it thus.

"Seen solely from the legal point of view, then no country is liable to accept the human rights and freedoms which have been elucidated in the beginning of the declaration, or to adhere to them and protect them." (4)

Dr. Raphael's impartial statement is:

"Those social and political rights do not mean any international duty." (5)

This is the truth about the "Universal Declaration of the Rights of Man" which has also been called "an important step", "a tremendous gift" and "man's ascension to heaven".

In the light of the opinions given by western thinkers and legal experts the following fact becomes quite clear, that there is no sanctioning power behind this "Declaration of Human Rights" which gives the right to punish those who violate it, and no legal steps are mentioned which can be taken against the violators. Further there is nothing to bind the rulers of the different countries to act according to this declaration and to grant the citizens of their respective states those rights and freedoms.

After clarifying the legal and moral position of this declaration by the United Nations shall now be examined the fleeting character of all those human rights movements which started in the west in Britain, 1037 C.E.

In the west rights do not have any permanent value, all of them are originated or imaginative like the Habeas Corpus, Magna Charta, French Declaration of Human Rights the 10 amendments (America) and other similar documents. They are limited to a certain area and a certain period of time only, that means they are the outcome of certain social and political circumstances prevalent at a certain time and a certain place, formulated according to the whims and fancies of the human mind.

The value of those rights does not exceed that of wishful thinking, as there is no sanction whatsoever behind them.

The western nations think themselves to be the upholder of human rights for all mankind, but past events prove that their mode of action has just been the opposite

of their high claims.

Human rights as presented by them are based on racial discrimination. Their main interest is to safeguard the fundamental human rights of the white race. They don't think that any other race has got any rights on them(6). The past and the present bear witness to the fact that dubbing all those so called "Declaration of Human Rights" as "prejudiced nationalistic and racist rights" would be more appropriate. When the French declaration of human rights was integrated into the state-law of France, the following point has been clarified:

"Although the colonies in Asia, Africa and America are occupied by France, and constitute a part of the French state, the French law shall not be applicable in them."(7)

All western ideologies of the rights are meant exclusively for the people of their own race. They do not state that they are meant for people of other nationalities, rather efforts are made that people of other races may not share those rights.

PRECEDENCE AND SUPERIORITY OF THE KHUTBA HUJJATUL WIDA OVER WESTERN CHARTERS FROM THE HISTORICAL POINT OF VIEW

The Greatest Benefactor of Mankind, Guide for the world, and Greatest Upholder of Human Rights, Sayyidina Muhammad Mustafa ﷺ delivered his famous sermon, which is in fact the very first universal declaration of the rights of man on Friday, 9 Zul hijj, 10A.H. corresponding to 6 March 632 C.E.i.e in the beginning of the 7th century C.E whereas the starting point of human rights history in the west was made in the 13th cent .C.E with the signing of the Magn Charta on 12. June 1215. The fact that there is no sanctioning power whatsoever behind all western declarations of human rights has already been elucidated. They were drafted for a specific region, nation, people of a certain race or colour only. This opposes the idea of brotherhood and unity of mankind completely. Whatever the Holy Prophet ﷺ conveyed in his historical Khutbah about the dignity and equality of man, about the protection

of the rights of man and about the universal applicability of the rights and duties of man is thus a far more preferable declaration of human rights than any western attempt in this direction.

The Messenger of Allah ﷺ not only provided a theoretical framework of human rights, but implemented all the rights he gifted to mankind throughout his own blessed lifetime. The Khutbah of the Prophet of Islam ﷺ is also to be preferred above all other declarations of human rights because of its perpetual validity.

He was not only sent to the Arabs of the 7th century C.E., but he was sent as the last Prophet, and he was sent to all mankind with a religion (Al-Islam) which is the mode of life destined by God for all mankind, for all time to come. Unlike all western intrepidous versions of human rights the Holy Prophet ﷺ grants all humans the same rights, independent of the region they live in, or their nationality. Human rights as declared by him are not just meant to protect the interests of a certain people, but rather they are meant for all people, of all colours and races.

After this comparative historical study of the development of human rights, the following fact becomes absolutely undeniable, that the Khutbah of the Greatest Benefactor of Mankind, the Leader of Arabs and Non-Arabs, Sayyidina Muhammad ﷺ is superior to all those would-be declarations and bills of rights because of it being the very first, truly universal, fully implicable and up-to-date unequalled charter of human rights for all time to come.

The Greatest Benefactor of Mankind ﷺ spent every moment of his august life to protect human rights and the dignity of man.

Since the Khutbah Hujjatul wida of the Holy Prophet ﷺ carries such a great historical importance and has such a tremendous impact on human rights, it is necessary to have once more a look at the various articles of this Khutbah, summed up, so that one can fully grasp its greatness and importance.

INDIVIDUAL AND COMMUNAL HUMAN RIGHTS GRANTED IN THE KHUTBAH

- 1: The Right of protection of one's life, wealth, honour and children.
- 2: The Right of protection of trust, returning of loan, protection of real estate
- 3: Abolishing of interest is a great boon for mankind.
- 4: The Right to lead a peaceful life and mutual support .
- 5: The Right of protection of one's property, honour and dignity.
- 6: The Right of protection of human life, equal regulations with regard to blood money and retaliation.
- 7: Equality of all men regardless of their colour and race
- 8: Special mentioning of Women's rights
- 9: Special mentioning of the rights of Slaves
- 10: Universal equality of man and establishment of an international brotherhood
- 11: Injunction to preserve articles of the Khutbah and to live according to those injunctions.

Just one look at this short index of the points in the Khutbah is enough to decide whether there can be any more comprehensive universal declaration of human rights. This is the only charter stating so clearly the rights and duties of man. There is nothing-and there will never be-anything equal to it in the whole world.

This Khutbah carries so great a weight also because of the fact that the Holy Prophet ﷺ implied all the injunctions, directions and instructions given already during his own noble life. The society at Madina during this blessed era was a model for all what the Holy Prophet ﷺ preached regarding the equality of man and his rights. So was period in which the rightly guided caliphs ruled, as many documents of that time prove.

CHAPTER-3**THE WESTERN WORLD AND
HUMAN RIGHTS A CRITICAL
AND HISTORICAL STUDY**

As already explained, the rights which the Greatest Benefactor of Mankind, the Messenger of Islam ﷺ granted to mankind are carrying enormous weight, because of their comprehensiveness, uniqueness and their universal and historical importance. Unlike their western counterparts they are not just a formal statement far from implementability and practicability. The Messenger of Allah ﷺ proved their liability during his noble life. In the society he established at Madina all those rights constituted a vital part of every day life.

Before being honoured with Prophethood he showed his eagerness to safeguard the rights of man on the occasion of "Half-e-Fudool".

After becoming the final Messenger of Allah ﷺ he proved himself to be a true upholder of human rights at the "Pact of Madina" (623), at the Conquest of Makkah (may Allah increase its glory) (630), and during his last Hajj (632) where he delivered his legendary sermon.

As a matter of fact throughout his pure and pious life he implied all injunctions regarding the right of man and the rights of the Lord.

All statements, actions and injunctions of the Holy Prophet ﷺ regarding human rights had their beginning in the "Half-e-Fudool" and culminated in the Khutbah of his last Hajj, that and only that is the point where the history of human rights begins.

**A SHORT DESCRIPTION OF HISTORICAL
WESTERN CHARTERS OF HUMAN RIGHTS**

After the preceding introducing words a short critical description of historical western charters of human rights shall be given. First efforts to protect the fundamental

rights of man were made in the West not before the 11th century C.E.

In the year 1037 C.E. King Conrad granted the parliament the right to exercise its authority.

In 1188 C.E. King Alfonso IX of England sanctioned the basic outline of the Habeas Corpus.

On 15 June 1215 C.E. the Magna Charta was implemented, which Dauletier has called the "Declaration of Freedom". (1)

THE MAGNA CHARTA

King John ruled England from 1199 till his dethronement in 1216. Because of his injustice and oppression he is also remembered as John the Tyrant. On 15 June 1215 he was forced by the barons to sign the Magna Charta, the same Magna Charta which symbolized for England the milestone of historical documents. The established fundamental rights of the rulers were stated in this charter and it was made obligatory on the king and the barons to abide by the injunctions given in it. Regarding individual rights was stated that no one could be given legal punishment without a legal process and that the public is to retain whatever freedoms it enjoyed already. Also the king was allowed to spend money as he wished without consulting the barons.

This charter was the ticket to freedom for the English people and the fundament for the English state. Therefore, when the parliament formally assembled for the first time in 1215, the principles of this charter were sanctioned as the constitutional laws. (Statute of Westminster). The parliament was a more developed form of the assembly of English barons, known as "Wistan", i.e. assembly of wise, knowledgeable men. This assembly advised the King, and he was bound to act upon those advises, and through this assembly of barons the Magna Charta was written and attested. (2)

THE HISTORICAL AND LEGAL VALUE OF THE MAGNA CHARTA

There is no doubt about the Magna Charta being the most important historical document stating the fundamental human rights of the British, but this reality was understood only at a much later time.

At the time of its issue it was nothing but an agreement between King John and the Barons, drafted to protect the rights of the latter, practically it had nothing to do with the rights of the general public. (3)

In the West the Magna Charta has been much bragged about as the starting point of the history of human rights, but one Western intellectual, Henry Marsh has got the following to say about it:

“It is nothing but an agreement between the feudal lords.” (4)

DUE PROCESS OF LAW 1355

In the year 1355 the British parliament passed the “Due Process of Law” which confirmed the principles mentioned in the Magna Charta.

According to it no individual can be exiled, imprisoned or given capital punishment without having had a fair legal process.

From the 14th - 16th century the Machiavellian theory prevailed in Europe, which gave the rulers absolute power.

In the 17th century the natural rights of man found forcefully their way into the mind of man.

HABEAS CORPUS 1679

In 1679 the British parliament sanctioned the Habeas Corpus which was meant to protect the citizen from being unjustifiedly arrested.

LAW OF NATURE, AMERICA'S DECLARATION OF INDEPENDENCE

On 4th July 1776 America announced its independence, the first copy of this declaration was written by Thomas Jefferson. In the beginning of it was stated with reference to the law of Nature, that all men were created equal, endowed by their creator with certain unalienable rights,

among these are the right of life, the right of freedom, the right of pursuit of happiness.

In the year 1789 the American Congress passed 10 amendments to the above mentioned declaration of independence. These amendments are known as "Bill of Rights."

In the same year France also made its own declaration of the rights of man.

1792 Thomas Paine edited his famous booklet "The Rights of Man" which incited the fight for human rights in the west.

In the 19th and 20th century it became quite popular to include the "Fundamental Human Rights" in the existing legal code. Germany and several new European states did so after the First World War.

In the year 1940 H.G. Well presented his own picture of the rights of man in his famous book "New World Order." In August 1941 the Atlantic Charter was signed, the purpose of which was, in the Words of Winston Churchill to set an end to war by upholding human rights. After the Second World War the inclusion of human rights into the legal code became somewhat fashionable. France included in the year 1946 the declaration of 1789 into her constitution, likewise did Japan, and Italy guaranteed the protection of human rights in her constitution in 1947. (5)

THE UNITED NATIONS DECLARATION OF HUMAN RIGHTS OF 10. 12. 1948

All the attempts of the West to protect human rights culminated in the "Universal Declaration of the Rights of Man" by the United Nations General Assembly on 10. 12. 1948. To protect and implement the rights stated in this declaration has been made the responsibility of the international community.

This declaration contains 30 articles with regard to individual, political, economical, social & cultural rights. The individual and political rights mentioned from article 3 till article 21 of the bill include the right of life, freedom and security, freedom from slavery right of equality before the law, the right to lodge a complaint at a court, security against being arrested except by legal order, or to be

exiled, or to be under confinement, the right to be considered innocent till the opposite is proven by an independent unbiased tribunal, after a fair process in an open court. The right of privacy, freedom from unwanted interference in familial matters, security against having one's mail opened against one's will, freedom to go wherever one wants, the right to take political asylum, the right to be citizen of a state, the right to marry and found a family, the right to own real estate, freedom of religion and thought, freedom of opinion, the right to assemble, the right to take part in government and equal opportunities to get work in government departments.

The articles 22 till 27 state economical, social, cultural rights. From article 28 till 30 is stated that every person has the right to live in such a social and international system in which the rights and freedoms mentioned above can be fully realized.(6)

UNIVERSAL DECLARATION OF HUMAN RIGHTS

On December 10, 1940, the General Assembly of the United Nations adopted and proclaimed the Universal Declaration of Human Rights, the full text of which is reproduced as under:

PREAMBLE

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people.

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law.

Whereas it is essential to promote the development of friendly relations between nations.

Whereas peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life with larger freedom.

Whereas member states have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms.

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge, *Now Therefore,*

THE GENERAL ASSEMBLY

PROCLAIMS

UNIVERSAL DECLARATION OF HUMAN RIGHTS as a common standard of achievement for all peoples and all nations, to the end that every individual, and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and inter-national, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

Article 1. All human beings are born free and equal in dignity and rights, they are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2. Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth of other status.

Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs. Whether it be independent, trust, non-self governing or under any other limitation of sovereignty.

Article 3. Everyone has the right to life, liberty and security of person.

Article 4. No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5. No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6. Everyone has the right to recognition everywhere as a person before the law.

Article 7. All are equal before the law and are entitled

without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8. Everyone has the right to an effective remedy by the competent national tribunals for act violation the fundamental rights granted him by the constitution or by law.

Article 9. No one shall be subjected to arbitrary arrest, detention or exile.

Article 10. Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 11. (1) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.

(2) No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

Article 12. No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 13. (1) Everyone has the right to freedom of movement and residence within the borders of each state.

(2) Everyone has the right to leave any country, including his own, and to return to his country,

Article 14. (1) Everyone has the right to leave any country, including his own, and to return to his country.

Article 15. (1) Everyone has the right to a nationality.

(2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Article 16. (1) Men and Women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.

(2) Marriage shall be entered into only with the free and full consent of the intending spouses.

(3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Article 17. (1) Everyone has the right to own property alone as well as in association with others.

(2) No one shall be arbitrarily deprived of his property.

Article 18. (1) Everyone has the right to freedom of thought, conscience and religion, this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19. (1) Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20. (1) Everyone has the right to freedom of peaceful assembly and association.

(2) No one may be compelled to belong to an association.

Article 21. (1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

Everyone has the right of equal access to public service in his country.

(3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Article 22. (1) Everyone as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Article 23. (1) Everyone has the right to work, to free choice of employment. To just and favorable conditions of work and to protection against unemployment.

(2) Everyone, without any discrimination, has the right to equal pay for equal work.

Everyone, who works has the right to just and favorable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by order means of social protection.

(4) Everyone, has the right to form and to join trade unions for the protection of his interests.

Article 24. (1) Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Article 25. (1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his

control.

(2) Motherhood and childhood are entitled to special care and assistance. All children whether born in or out of wedlock, shall enjoy the same social protection.

Article 26. (1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

(2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

(3) Parents have a prior right to choose the kind of education that shall be given to their children.

Article 27. (1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

(2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

Article 28. Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

Article 29. (1) Everyone has duties to the community in which alone the free and full development of his personality is possible.

(2) In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for

the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

Article 30. (1) Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

(Justice V.R. Krishna Lyer / Human Rights And the Law, Vedpal Law House, India. 1986.p333-338)

CRITICAL STUDY FROM THE HISTORICAL AND LEGAL POINT OF VIEW

Since there exists no clearly defined picture of the true nature and status of man in the West, all fundamental problems of life are not attempted to be solved until they underwent a great deal of highly intricate considerations.

In the West legal injunctions and rights do not have the status of permanent values, they have no perpetual validity. They are all derived or dreamed up or, like the Habeas Corpus, the Due Process of Law, the Magna Charta, the Bill of Rights, the French Declaration of human rights or the American Declaration of human rights, confined to a certain region only.

And whatever has been presented then in Britain, France or America has been only the outcome of certain political circumstances, it has never been more than an agreement between the political leaders and division of power between them. It was only with the passing of time that those documents have been raised to the status of a declaration of human rights, or at least to be the basis of such. Even if at the time of drafting these documents there had been any intention of making them applicable for the general public, then this intention never exceeded the stage of wishful thinking, because there is no power whatsoever behind them to sanction them.

Now let's examine another aspect of the western theory about the rights of man.

The people of the west have declared themselves to be the standard bearers and upholders of human rights for the whole human race, but historical facts just prove the opposite of their high claims. As a matter of fact - the picture of human rights as given by the West is a nationalistic and racist one. Their desire is that the fundamental rights as stated by them are granted to the white race only, not even thinking of other races to be entitled to enjoy the same rights. When the French Declaration of Human Rights has been integrated into the legal code of France, the following statement has been

included as well:

“Although the colonies in Asia, Africa and America are occupied by France and constitute a part of the French state, the French law shall not be applicable in them.” (8)

Similar is the condition in the remaining western world. According to their understanding rights, especially human rights are only meant for the inhabitants of their respective countries. Calling such documents charters of human rights is simply wrong and means denying the historical reality.

All western concepts of human rights are polluted by racist, nationalistic, ethnocentric doctrines, full of bias. Whatever the west thinks to be substantial for its own prosperity, it sees absolutely no need that other people may enjoy the same, rather it strives hard to prevent other nations from even getting a taste of the benefits enjoyed by the West.

THE UNITED NATIONS DECLARATION OF THE RIGHTS OF MAN; VIEWS OF SOME WESTERN THINKERS AND LEGAL EXPERTS ABOUT ITS REALITY AND LEGAL VALUE

CRITICAL STUDY

The sorry state of affairs with regard to the legal status, implicability and protection of the human rights stated by the United Nations is depicted in the Annual Report of the Human Rights Commission of the United Nations as follows:

“The commission admits that it does not have the power to take any action in matters of complaints concerning human rights.” (9)

Further the states under the UN who were made to implement the Declaration of Human Rights are not doing so rather human rights are being openly violated there, leave alone human rights, humanity is being desecrated. So does the UNO which issued the so-called Charter from Human Rights have the authority to take legal action in case of violation of human rights in any country? Are the members and status of the UN legally bound to ensure human rights and freedom?

Also read what the western legal expert Hans Kelson

has to say:

“Seen solely from the legal point of view then no country is liable to accept them and to adhere by them and to protect the human rights and freedoms which have been elucidated in the beginning of this charter. The language of the charter does not admit any interpretation from which it could be understood that the member states are legally bound to grant their citizens the rights and freedoms stated in this charter.” (10)

The actual worth of the Declaration of the Rights of Man as made by the United Nations becomes clear from the following fact, that even some member-states of the United Nations admit that commission of crimes against humanity and violation of human rights are a part of their dealings, (on national and international level.), thus almost making faces at the United Nations and its so called Declaration of Human Rights, openly violating the charter, methaphorically spoken tearing it into pieces, and making the United Nations look without any authority and completely helpless.

Some examples to illustrate this point are the happenings in Palestine, Kashmir, Bosnia, Rwanda, and a number of other states, where the United Nation are just helplessly watching, while the mankind for whose protection the U.N. were founded breathes its last under cries, heaves and cries for help.

Karl Mannheim writes:

“The Charter did not grant any individual the right to appeal in the international Court of Justice in case any of the rights and freedoms granted him by the charter is somehow curtailed.” (11)

Even the international Court of Justice which is the highest court of the United Nations does not give an individual the right to appeal in it so that he may be given the rights granted to him by the United Nations.

From this it becomes clear that an individual cannot knock the door of the Court of the United Nations and appeal to be granted human rights – the same human rights which the UN so generously gifted to mankind – if he has not received them so far or they have been usurped from

him.

In an issue describing the competence of the international court of justice is clearly stated in article 32.1 that only countries and states can appeal for a hearing by the Court. (12)

A further irrefutable fact is that it is not binding for the heads of a state to accept the decisions of the International Court of Justice, rather they have got the right to oppose them. Dr. Raphael gives a very truthful and close to reality picture of this fact.

"Those social and political rights do not mean any international duty." (13)

2: THE RELIGIOUS AND ISLAMIC POINT OF VIEW

Never before have human rights been as much under discussion as these days, western countries have got a highly effective theoretical "weapon" by which they constantly attack the third world countries in general and the Islamic countries in particular.

Whenever a third world country or an Islamic country opts for a mode of action other than the one prescribed by the West in the United Nations charter as standard, then are defamed as opponents of human rights.

When we study the attacks of different western scholars on Islamic articles of faith and religious injunctions, no matter to which branch of social life the latter may be related; and if we have a look at different events of the last decade, then a picture as below is presented to us:

Salman Rushdie was taken by the west as a hero for freedom of opinion in face of most averse circumstances, because of his blasphemous utterances against the Holy Prophet ﷺ, who is the object of love and reverence for the whole Muslim world. Salman Rushdie tried to shatter those true believes which are held dear so by every Muslim, i.e. that the Holy Prophet ﷺ is free from any kind of blemish, therefore not subjectable to any kind of criticism, and that his orders are to be obeyed unconditionally.

Tasleema Nasreen became a hot favorite in the western

world because of giving vent to her idea that in the modern age in which we live certain amendments should be made to the Holy Quran; a true believer however considers the Qur'an as the final and perfect revelation, it contains all orders which are required for a prosperous life – at any time; and further, a true believer holds that the Qur'an is unalterable, even if one wanted to change it, it is impossible to do so.

The punishments prescribed by Islam have been declared to be absolutely against the rights of man; i.e. amputating the hands of a thief, stoning an adulterer and whipping are considered inhumane. The infliction of this kind of penalties by the Pakistani High Court is considered as a violation of human rights and America is continuously pressuring Pakistan to change its Islamic penal laws.

The legal punishment of blaspheming the Holy Prophet ﷺ has been called inhumane, and the west not only tries to force the Islamic world to abolish the punishment for blasphemy, but also fully supports and encourages all those who blaspheme the Messenger of Allah ﷺ.

The exclusion of Qadianis from the fold of Islam and preventing them from calling themselves Muslims as well as all related legal injunctions are also considered to be a violation of human rights. They are depicted as an oppressed minority and Muslims are pressurised by America to lift the sanctions against them.

In the eyes of westerners the family laws of Islam are also inhumane, human rights activists are trying very hard to make Muslim countries adopt the western standard of family laws, i.e. to remove the condition of religion for marriage, to be more tolerant regarding extramarital affairs, to accept people living in a state of adultery or fornication as equal righted citizens, to accept homosexuality, helping homosexuals to fulfil their desire for children and to grant all the rights to a child born out of wedlock which are granted to a child born within.

Because of persevering with the Islamic code of life Muslims have been called "fundamentalists" and any religious movement has been labelled as terrorist group, always negatively portrayed by the world media. These

groups of Muslims have been forced to use weapons to defend themselves from state terrorism due to their strong adherence to the Islamic principles. In some cases they are helping Muslim minorities in non-Muslim countries to preserve their Islamic identity and to attain freedom from non-Islamic governments.

In this battle of mind and ideological war are the Human Rights charter of the United Nations and the decisions and conventions of the Geneva Human Rights Commission of fundamental importance.

The Human Rights Charter is the plain text and the convention of Geneva are its exegesis, both of which are enormously powerful weapons in this ideological war. The West says that all countries aspiring membership in the UN have signed and occupied the Charter, therefore they abide by it. All those countries who are against the implication of these laws oppose this international pact. Therefore it is necessary that all states, be they Muslim or non-Muslim, abide by this world wide pact and make amendments to their constitutions so that they are in accord with the UN Charter of Human Rights.

This charter is the height of the western philosophy of life, behind it is the notion that religion means only faith, worship and morals in which everyone can choose whatever he pleases, this will be his personal affair, no state or authority have got any right to interfere. Communal affairs of human life like politics, law, administration, trade, agriculture and economy have nothing to do with religion. Regarding these affairs a country can opt for any system preferred by the majority of its citizens. This system shall be above the dictates of religion. That is the definition of secularism, the same secularism which we are urged to accept.

THE DECLARATION OF HUMAN RIGHTS BY THE UNITED NATIONS AND SOME OF ITS POINTS WHICH CONTRADICT ISLAMIC PRINCIPLES

In the first article of the UN Charter is stated that every individual is born free and with the same rights and equal dignity, whereas Islam does not consider all humans equal in dignity. This principle is laid down in the Qur'anic Verse:

"The most dignified among you in the sight of Allah is the most pious among you."

That means that people living a pure life without offending the law have got more right to respectful treatment than a wicked person who frequently clashes with the law.

Let's now examine article 5 of the Charter, where the Islamic penal code has indirectly been called inhumane. The headline for this article could be "an end to violence".

It goes thus: "No one shall be subjected to torture or to cruel, inhumane or degrading treatment or punishment."

From this can be understood that any penalty awarded after any offence has according to the UN to be free from any kind of cruelty or humiliation. Cutting the hands of a thief, Stoning an adulterer or whipping a fornicator or drunkard has been interpreted as inhumane treatment by the West. Islam however inflicts so strict penalties only to reform the criminal and to deter others from committing that crime.

The next objectionable point of the Charter is article 16:

"Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution".

If seen from the Islamic point of view, the following matters need to be understood: What is meant by "full age"? In Islam there exists no age limit for marriage. What about "Without any limitation of religion"? In Islam it is inconceivable that a Muslim man marries any idolatress, or that a Muslim woman marries any other but a Muslim man.

The injunction

"Equal rights at the time of dissolving the marriage." Is also completely against the Islamic concept, Islam has not given both partners the same rights to dissolve marriage.

Further read article 25 point 2 of the Charter.

"Motherhood and Childhood are entitled to special care and assistance. All children whether born in or

out of wedlock shall enjoy the same social protection."

Along with these two articles please also remember last year's conference in Cairo which was organized by the UN for the world population's welfare, and its suggestions, which all countries were urged to accept, i.e. to provide the people with ample opportunities to have free sexual relations, to be tolerant regarding "homosexual relations, to facilitate abortion and to give homosexuality complete legal support.

Try to imagine a family life along those "internationally" appreciated standards, in case all countries would adjust and amend their constitution accordingly.

Similarly disastrous-more or less-would be the outcome if article 18 and 19 of the Charter would be implemented to the fullest:

"18, Everyone has the right to freedom of thought, conscience and religion. This right includes freedom to change his religion or belief and freedom either alone or in community with others and in public or private to manifest his religion or belief in teaching, practice, worship and observance.

19, Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek receive and impart information and ideas through any media and regardless of frontiers."

Consider well that those two points actually impact! See how the West is crying over the violation of the right to express oneself freely of Salman Rushdie, Tasleema Nasreen, some Christian ruffians who insulted the Holy Prophet ﷺ, Qadianis and some other groups. See how the Western media is continuously targeting the Muslim's behaviour with regard to Human Rights. (14)

THE UNITED NATION'S DECLARATION OF THE RIGHTS OF MAN AND THE KHUTBAH HUJJATUL WIDA, A COMPARATIVE STUDY

The objective studies carried out by the Western writers and thinkers clearly indicate that man's collective

efforts at international level failed to guarantee him a dignified and honourable life. Man is as helpless today as he was before. In fact a continuous expansion of governments span of authority has made the idea of basic human rights and freedom a meaningless concept.

The Charter of Human Rights is nothing more than a nice looking document. It contains a compilation of rights none of them though have the potential to be effectively and strictly implemented. It neither stops the states from violating basic human rights nor does it provide a legal system which protects the rights of an individual.

The Charter therefore is a useless and unworkable document. It only has a moral value. From the legal point of view it has no weight or effectiveness. On the other hand the human rights provided by the Holy Prophet ﷺ have behind them the potential to be effectively and strictly implemented. Human rights are an essential part of the Islamic ideology of life. The ideology of human rights provided by the Holy Prophet ﷺ in the form of Khutba Hujjatul Wida is in fact a comprehensive and eternal "Charter of Humanity". Unlike the UN's Charter of human rights it does not put the fate of a person or a people in the hands of the State. Instead even a minor violation of rights makes the rulers answerable to the people. And the rulers have to bear in mind that the Most Powerful, the Most Supreme and the Only Sovereign is overseeing them and that not only they, but the whole humankind is answerable to Him.

The most successful Muslim rulers, Sayyidina Umar Farooq's ﷺ caliphate lasted from 14 till 24 A.H. (634-645 C.E.) The area under his governance included Syria, Egypt, Iraq, Algeria, *Kirgistan*, *Iraq Ajam*, Armenia, Azerbaijan, Iran, *Karman*, Kharasan, Makran, (part of Pakistan). It was during this period when, following the ways of the Holy Prophet ﷺ, the foundation of an Islamic system of government was laid. The role of the ruler was defined and the ruler was made answerable to the people for his actions.

"Once to find out how much power his people had, he asked during a speech: "If I don't justly deal with matters what will you do?" Bashir bin Saad

took out his sword and said: "then we will straighten you up." Umar said: "All praise be to Allah there are some among my people who will not let me go astray." (15)

It was because of this that once while he was giving a speech an ordinary man got up and said rudely:

"Oh Umar! Fear Allah!"

And he continued interrupting him by saying the same thing again and again. Obviously people were annoyed and wanted to take him to task. Umar, whose might would make the hearts of Ceasar and Khusroe tremble, kept listening without having said a word. He eventually got upset at the reaction of the people and said in a voice filled with the fear of Allah: Let them say. If they don't say, then they are useless. If we don't listen, then we are useless. (16)

Maaz bin Jabal ؓ, a Muslim ambassador, associated with the royal court of Byzantine presented the idea of Islamic democracy in these words:

"Our Caliph is from amongst us. We accept him as our Caliph as long as he follows the Holy Qur'an and the ways of the Holy Prophet ﷺ. If he does not, we shall remove him. If he steals we will cut his hand. If he commits adultery we will stone him to death. If he talks bad about someone he will be treated the same way. If he hurts anyone he will have to compensate that person. He is just like us." (17)

The human rights provided by the Holy Prophet ﷺ are unseperatable from the Islamic way of life and the responsibility of their implementation lies with those in the government. This ideology is not like the UN's so called "Charter of Human Rights" which is more of a formality, a symbolic document. Neither it lacks the power to be implemented, as does the UN's Charter thus making it ridiculous.

The human rights presented by the Holy Prophet ﷺ were not restricted to the land of the Arabs or its people or a specific time. Muhammad ﷺ was sent as a benefactor, as an example for all times to come. The Charter of human rights presented by him is therefore universally and eternally applicable. The Holy Prophet ﷺ has made the

Muslim rulers responsible for its implementation. After having assumed the responsibility of Caliphate subsequent to the death of the Holy Prophet ﷺ on 12th of Rabi ul Awwal 11 A.H. (7 June 632 C.E.) Abu Bakr took the pledge of allegiance from the people. He stood on the pulpit in the Holy Prophet's ﷺ Mosque and addressed the people after assuming Caliphate. Acc. to Ibn Saad the basic message of the address was that the enforcement of human rights was the responsibility of the Caliph and that the Caliph was accountable for it.

The Caliph Abu Bakr conveyed this Islamic ideology after praising Almighty Allah and sending peace and blessings on the Holy Prophet ﷺ as follows:

“Oh people! I have been appointed as your leader and I am no better than you. So if I do good, assist me and if I do wrong then stop me. Truth is trust and lying is betrayal. The weak from amongst you is strong for me so I will provide justice to the weak (like a Holy War against those who exploited the poor) and the powerful from amongst you is weak for me so I will take his power away from him. As long as I obey Allah and his Messenger ﷺ you have to obey me and if I disobey Allah and His messenger ﷺ then you have no obligation to obey me.”

The above excerpts from the historical address given by the Caliph Abu Bakr clearly reflect how Islam makes the head of an Islamic state answerable and accountable before the people and how the responsibility of human rights and their enforcement lies with him. (18)

CHAPTER-4

**THE KHUTBAH HUIJATUL WIDA,
AN ETERNAL AND UNPRECEDENTED
DECLARATION OF THE RIGHTS OF
MAN, A HISTORICAL AND
INVESTIGATING STUDY**

After the comparative and critical study of different western declarations of human rights and the Khutbah of Allah's Final Messenger ﷺ, shall now follow a detailed study of the social circumstances prevalent in pagan Arabia and in some other major cultures of the world. This is done so that the actual greatness of the Holy Prophet's ﷺ Khutbah and the perfection of the teachings presented therein may shine even more brightly, and to make mankind understand, what a great favour Allah has bestowed on them through His beloved Rasool ﷺ.

The Rights of Man which have been presented by the Greatest Benefactor of Mankind ﷺ as compared to the condition of some major civilizations and religions in a historical and comparative study.

THE RIGHT OF PROTECTION OF LIFE, WEALTH, HONOUR AND CHILDREN

"Oh people, no doubt your blood, your wealth, your honour, your lives and your children are sacred (i.e. to assault any of these is a sacrilege.)"(1)

Before this declaration there existed no concept of the sanctity of life, honour, wealth and children in pagan Arabia. Try to imagine this, no guarantee for the safety of one's life or the life of one's family or real estate or property.

The Greatest Benefactor of Mankind ﷺ was the first one to grant mankind the right of protection of life. Protection of life, property, honour, family, and on large scale the right of protection for the whole society. He not only made a formal announcement of those rights, but

rather he made this announcement with utmost sincerity and ensured the immediate implication of those divinely sanctioned rights. Whatever the Messenger of Allah ﷺ taught the Muslims with regard to human rights became instantly a part of a Muslim's socio-political code of life, from the time when instructions passed the blessed lips of Allah's Beloved ﷺ, as long as this world shall last.

Now we shall examine what the conditions in pagan Arabia were like, before the Holy Prophet ﷺ delivered his legendary Khutbah.

The Arab tribes did not have any central administrative system. Minor disputes were often a cause for bloody feuds which could last for generations. Due to those feuds, enmities and ferocious battles hundreds of families were destroyed. Murder, bloodshed beastly acts beyond description, in short terrible crimes against humanity became the order of the day.

Every tribe was prepared to plunder the other tribes, steal their wealth, drive away their cattles and captivate their weak ones. Caravans with merchandise could not pass safely an area without paying a hefty fee to waylaying tribes.

People of one tribe often captured women and children of another tribe and sold them as slaves. (2)

History bears witness to the fact that not only Muslims were to enjoy the bounties which Almighty Allah bestowed through His Prophet, the Prophet of Mercy ﷺ on the Ummat-e-Muhammadia, but rather all those rights were also extended to the non-Muslim proteges living in the Muslim territory. The respected first Khalifa after the Holy Prophet ﷺ, Sayyidina Abu Bakr Siddiq ؓ, whenever he swore in someone as government official, would inform him about his duties and responsibilities and order him to perform the same as well as he can.

Once when the Holy Prophet ﷺ despatched an army to the borders of Syria under the leadership of Sayyidina Usamah bin Zaid ؓ (Rabi ul Awwal, 10 A.H., corr. to June 632) he stopped them and gave them the following parting advice:

"People, hold for a while, I shall give you good advice

with regard to ten things, make sure you remember my advice well:

Do not Cheat

Do not become rebellious,

Do not cut off the hands and feet of your enemy,

Do not kill children

Or old folks

or women

And when you come across such people who live in monasteries then do not say anything to them and leave them up to themselves." (3)

Below is given a reproduction of the promise which the honourable second Khalifa after the Holy Prophet ﷺ, Sayyidina Umar Farooq ؓ gave to the Christian proteges on the occasion of the conquest of Bayt ul Muqaddas in the year 16 A.H. corresponding to 637 C.E.

"This is the protection which the servant of Allah, Ameer ul Momineen Umar extends to the people of Eila, to their lives, property, churches, the cross, to their healthy ones and their sick ones and all members of their faith. There shall be no settlement in their churches, neither shall they be demolished, nor shall there be any reduction in their territories, they shall not be compelled in matters of religion, nor shall they suffer because of their faith." (4)

During the golden days of Sayyidina Umar's ؓ Caliphate the rights of non-Muslims were protected as fervently as the rights of Muslims.

The Governour of Hims, Sayyidina Omair bin Saad ؓ had no parallel with regard to abstinence and dislike for the world. Once he said to a zimmi (a non-Muslim citizen of an Islamic State): "May Allah disgrace you!" Thereafter he was so greatly embarrassed and felt sorry for that act of his, that he went to Sayyidina Umar ؓ and asked him to withdraw him from the post of Governour. (5)

RETURN OF TRUST AND THE RIGHT OF PROTECTION OF PROPERTY

“Whoever has kept some trust with him, shall return it. Loans shall be paid back, borrowed items should be given back to their owner and a milk yielding camel (which has been given to someone to make use of the milk) should be returned to its owner after milking, and sponsorship is the responsibility of the sponsor.” (6)

The order given above is in fact nothing else than the unconditional right of protection of a man's wealth, estate and property; in fact it is the declaration of man's very basic right to own something.

After the Messenger of Allah ﷺ gave clear instructions about the return of trust, return of borrowed items and repayment of loans, he stated further that “sponsorship is the responsibility of the sponsor”, so that the importance of the right to ownership becomes even more evident.

THE ABOLITION OF INTEREST — A TREMENDOUS BOON FOR MANKIND

All customs and usages of the days of ignorance are trampled below my feet, and all interest is abolished. However you have got the right to demand back your initial capital sums, neither shall you oppress nor be oppressed.

Allah declared all usurious transactions to be void, and first of all I abolish whatever amount of interest is due to my uncle Abbas bin Abdul Muttalib.” (7)

Out of all the inhumane and oppressive laws and customs of the days of ignorance, the taking of interest has always been one of the most prominent evils. Many practical steps have been taken to save that system (of interest) due to which the rich grew richer and the poor got poorer day by day. This inhumane and tyrannical system has always been a great burden on the emancipated shoulders of mankind, in fact it meant nothing but the economical murder of mankind. In this ill-balanced economy the cruel system of taking interest was always protected.

THE PERIOD OF IGNORANCE (JAHILIYYA) AND ITS LITERAL MEANING

Jahl, Jahalat and Jahiliyyat mean literally "ignorant", "without knowledge", "irreligious blockheadedness" and "foolishness".

One famous Arab poet of the age of ignorance sung very aptly:

"Beware! Let no one behave ignorant with us otherwise we will behave even more ignorant than the ignorants do." (8)

Dr. Umar Farrukh writes about the history of ignorance:

"Jahiliyyat, derived from Jahl denoted the opposite of "Hilm" (forbearance). Ahl-e-Jahiliyyat refers to the Arab society before the advent of Islam. This definition is based on several Qur'anic Ayats where the term Jahiliyyat is used in this sense, i.e. Sura Al-e-Imran 154, Sura Maida 49 Sura Ahzab 3, Sura Fath 26.

CONVENTIONAL MEANING

By Jahiliyyat is meant that age in which no divinely sanctioned law is implied, in which there lives no prophet, in which no divine book is revealed or inspired. In the case of the Arabs it refers to the period which had elapsed between two Prophets, namely Sayyidina Ismail عليه السلام and the Holy Prophet Muhammad ﷺ in which no shariat whatsoever remained.

According to Allamah Aloosi Jahiliyyat refers to that period in which the ignorant outnumber the wise. According to some others it means the period between the comings of Prophets.(10)

DIFFERENT STAGES OF THE AGE OF IGNORANCE

- 1: Jahiliyyat Ula. This refers to the condition of the Arab Baidah (the people of Ad, Thamood, Jadees and Tasm), the Arab Al Ariba (the Qahtanites whose genealogy reaches back to Yaqtan, (bibl.yoktan)son of Noah) and the Arab al musta'riba (mixed Arabs who descended from Ismail and the daughter of Mudad). (adapted from Dr. Majid Ali Khan Muhammad the

Final Messenger.

2. Jahiliyyat Sania. This period ended with the Conquest of Makkah. (11)

THE SYSTEM OF USURY DURING THE PERIOD OF IGNORANCE

During the days of Jahiliyyat the following kind of usury was prevalent, if someone gave money on loan, he would fix a date for returning the money. If the credit was not paid back in that time limit, a certain amount was added to the capital and a new time limit was given for repaying the new total amount. If again the person could not pay in time, then again a certain amount was added and the time limit extended, and so forth.(12)

The Greatest Benefactor of Mankind ﷺ set an end to this exploitary custom for all times to come.

In his famous Khutbah Hujjatul Wida he made not only a formal announcement that usury is forbidden, but he also implemented what he said by immediately redeeming all the usurious amount which was till then due to his paternal uncle Sayyidina Abbas ؓ. Sayyidina Abbas ؓ was a very rich and influential business man with wide-reaching connections and many of his transactions were based on the taking of interest. In the same speech in which the Holy Prophet ﷺ declared usury to be void, he also declared that all the usurious amounts due to his uncle are also void.(13)

Sayyidina Abbas and Sayyidina Khalid bin Walceed ؓ were partners in trade. They also had connections with Banu Thaqeef who lived near Taif. Once the repayment of a loan given to Banu Thaqeef become due. so when Hzi Abbas ؓ went to collect the money, the Holy Prophet ﷺ ordered him in accordance with the Quranic injunctions, not to take any interest.(14)

Finally mankind was relieved from that curse which haunted it for so long. But unfortunately the economy of non-Muslim countries (and Muslim countries, too!) is based on interest and usury, and this cruel unjust system is maintained and protected like anything. The best examples to illustrate this fact are institutions like the I.M.F, World Bank, plus many others and their dealings.

THE RIGHT TO LEAD A PEACEFUL LIFE

"The blood revenge of the days of ignorance is abolished and first of all I give up our family's claim to revenge the blood of Rabiah bin Harith bin Abdul Muttalib, who was being suckled by Bani Saad and killed by the men of Huzail." (15)

During the age of ignorance the killing of a person was revenged by killing in return one or several persons from the tribe of the killer. Often it was the case that several lives were taken to avenge the murder.

Starting a war over petty affairs and cutting each others throat was not a matter of concern for pagan Arabs, rather it was a widespread and well-accepted custom. Tribes were instigated against other tribes and clans. Every child was nurtured with the spirit to avenge his forefathers and the honourables of his household. While his mother or his nurse stilled his thirst for milk at the same time already the thirst for blood was aroused in him. The taking of revenge was considered a sacred duty and efforts to fulfil it resulted in unending feuds.

The historians named these wars and blood feuds "Ayyam ul Arab" and their number exceeds several hundred. Maidani Nishapuri (died in 518 A.H) writes in "Kitab ul Amsal", after listing 132 wars with names, the following:

"It is not possible to enumerate all those wars, thus I rest content with whatever I stated already." (17)

The actual extent of destruction of those feuds can be quite well estimated from an Arab poet's verse. He very aptly said:

"We have taken blood-revenge to such extent that now only some men are left on both sides." (18)

The urge to avenge was not just limited to simply killing a member of the enemy's tribe, the fire of their fury would not cool down unless they had also mutilated the dead body by cutting it into pieces or amputate the corpse's hand and feet or cut his ears and nose. The famous Arab poet Amr Walqais revenged the murder of his father by cutting the ears and nose of the killers, by thrusting heated

iron-stakes into their eyes and making them wear red-hot iron-chains. (19)

The abolition of those horrifying practices which were so common during the days of ignorance, the renouncing of all the inhumane laws of that era and the extinguishing of the fire that raged in the people, driving them to commit such gruesome acts cannot be lauded enough. It is nothing less than one of the greatest boons mankind received. During the Khutbah Hujjatul Wida the Holy Prophet ﷺ not just made a formal announcement of the abolition of this practice which dated back to the age of ignorance, but also implemented immediately what he said by forgiving the murder of one of his own relatives, Rabiah bin Harith bin Abdul Muttalib which had not been revenged so far. After this declaration the Messenger of Allah ﷺ further stated:

“And I also abolish all the claims to revenge murder from the age of ignorance, and I am the first one to give up a claim from my own clan. I give up the claim to revenge the murder of Rabiah bin Harith bin Abdul Muttalib, who was suckled by Bani Saad and killed by some men of Huzail.”

What else was this historical announcement of man's right to live a peaceful life, if not a tremendous favour towards mankind. All the wrong conceptions about retaliation which were prevalent in pagan Arabia were declared to be futile, and at the same time all the ongoing feuds were set to an end for all times to come.

THE RIGHT TO PROTECTION OF POSSESSIONS, PERSONAL HONOUR AND DIGNITY

“All traces of ignorance, blood feuds, claiming dishonestly someone else's water or wealth, all those things are trampled below my feet, but the guardianship of the House of Allah, and the office of providing water to the pilgrims remains in the same hands as before.”(20)

During his historical Khutbah of the Farewell Pilgrimage the Holy Prophet ﷺ proclaimed that all the customs of the days of Jahiliyyat are cancelled and abolished. Further he stated the right to protect one's possessions, honour, and dignity are fundamental rights of

every human.

EQUALITY WITH REGARD TO RETALIATION AND BLOODMONEY AND THE RIGHT TO PROTECTION OF LIFE

“And retaliation is necessary for intentional murder, and the bloodmoney for unintentional murder (like with a stone or a club) is 100 camels. Whoever gives or demands more than that is from among the ignorant people.” (21)

The Holy Prophet ﷺ was the first to lay down a law of retaliation and bloodmoney which was equally applicable to everyone, regardless of his status.

To understand fully the importance of this prophetic injunction it is necessary to have a look at the system of retaliation and bloodmoney which was common during the days of ignorance.

It was only after the Holy Prophet's ﷺ announcement that in this regard kings and beggars, ministers, dignitaries, wealthy and needy, self-sufficient and mendicants, princes and commoners, rulers and indigents, nations, tribes and clans, people of all colours and races, rich and poor, the rulers and the ruled, became equal.

Says Iqbal:

“A king's blood is not much redder than a subject's blood.”

THE CONCEPT OF JUSTICE AND EQUALITY DURING THE DAYS OF IGNORANCE

In pagan Arabia the society was divided into highborns and lowbarns, into noble and common, worthy and worthless. In case of retaliation it was like this, whenever a man of low birth killed a nobleman, then in retaliation a person of the killer's tribe was searched for, who equalled the killed in nobility, and this person was then killed in retaliation.

“The murder of a noble man can only be retaliated with the murder of an equally noble man.” (22)

A poet of the days of ignorance (Qirad bin Hanash As-Sadari) puts it thus:

"We have killed some people in retaliation who were better than them. Their blood is like a cure for our blood thirsty ones." (23)

Whenever a slave killed a free man it was considered insufficient to kill the slave in retaliation, people would demand the head of the slaves owner or any of his free relatives as well. And whenever a free man killed a slave, retaliation was not taken form the murder, but some compensation was given. (24)

Just as retaliation was based on injustice and inequality, so was also the paying of bloodmoney not done by equal standards. A comparatively high amount of bloodmoney was fixed for the chiefs of tribes. For other dignitaries a lower amount was fixed and for people of low birth a very small amount was fixed. The bloodmoney for the murder of a king or a ruler was 1000 camels, With the decrease of people's ranks and status also the amount of bloodmoney decreased. So when a member of the lowest social strata was killed, only five camels were given as bloodmoney, sometimes even less than that likewise in case of paying ransom for a captive similar unjust considerations were made.(25)

Mahmood Shakeri Aloosi writes in "Bulooghul Irab fi Ahwali Arab":

"In their (rulers, chieftains) understanding the position of a king was a very exalted one, therefore an amount of 1000 camels bloodmoney was fixed."

Qirad bin Hanash As-Sadai says:

"Sayyar bin Amru attempted to pay the bloodmoney of a king, which is 1000 camels and he made no delay in paying." (26)

ARISTOTLE'S CONCEPT OF JUSTICE AND EQUALITY

In his famous work "The Republic" (السياسيه) Aristotle writes as follows:

"The law is not equally applicable for all citizens, only people of equal descendance, rank and status are equal before the law. The law is not applicable to the rulers, since the rulers are the law.

Subjecting superiors to the law would be ridiculous." (27)

Then he continues:

"It is against the principles of justice to kill a nobleman in exchange for a commoner, or to exile him, thus forcing him to live in a strange land among a strange people." (28)

THE CONCEPT OF JUSTICE AND EQUALITY IN THE BYZANTHINE EMPIRE

In the Byzantine Empire any law and anyone's rights could be rejected at any time, any individual could be deprived and disgraced, in simple terms, all kind of oppression was considered permissible. (29)

George Sale describes the system of justice prevalent in the Byzantium as follows:

"One of the characteristics of justice was that it was something easily purchaseable, like any other merchandise, taking of bribes and corruption was encouraged by the government. Oppression increased when it came to inflicting a punishment for an offence of any kind. People from different classes and financial status got different punishments for the same crime." Mr. Larousse writes in "Dairatul Maarif"

"In Byzantium committers of the same crime were given different punishments according to their status and monetary power." (30)

Emperor Justinian (who died five years prior to the auspicious birth of the Greatest Benefactor of Mankind) has challenged mankind to come up with any better law than the one given by him. Below is an extract of the concept of justice which made Justinian feel so proud.

Regarding the implication of the law he divided society into three classes.

- 1: Honestiores: They were the highest class in the Empire, comprising of nobles. Capital punishment could not be awarded to them except in the case of revolt.
- 2: Humiliores: Members of this class could be given death sentence in extraordinary cases; otherwise

imprisonment was the maximum punishment.

- 3: Servi: They were the lowest class; death sentence could be awarded to them for any offence, no matter how trivial. Burning them alive or letting wild beasts devour them was common.(31)

THE CONCEPT OF JUSTICE AND EQUALITY IN HINDUISM

The French historian Gustave Lebon writes in "Indian Civilization": as follows:

The punishment for a crime was not meted out according to the gravity of the crime or the loss incurred due to it, but rather it was considered to which caste the criminal belonged. A Brahman was, for instance, never given such a heavy punishment as a member of any other caste.

VIRTUAL NON-EXISTENCE OF JUSTICE AND EQUALITY IN HINDUISM

The thing which changed that what was supposed to be a system of justice into a system of exploitation and oppression was the considering of a criminal's caste at the time of convicting him. If he belonged to high caste, light punishment was imposed only, and if he belonged to a low caste, then more severe sentences were passed. If, for example, a Brahmin murdered a member of a lower caste, no retaliation was to be taken and he just had to pay a certain amount of money to expiate his crime. And if the killer and the killed were both Brahmin, then no punishment was given at all and the case was referred to the gods for judgement.(32)

Under the heading "Brahmanism" the Encyclopaedia Britannica states the following; that according to the Manusmriti legal code, any crime committed by a Brahmin will be treated with great lenience, whereas if a member of a lower caste happens to commit the same crime extremely harsh and inhumane punishments were meted out. The lower a criminal's caste was, the more cruel grew the punishment. Manusmriti* writes:

* Manusmriti formulated the "Manusmriti", which is the sacred law of the Hindu-society. He is the one who evolved the caste-system into a rigid social frame. 300B.C.

"If a Brahmin commits any such crime which has been mentioned in chapter 9, he is to be given medium punishment or should be banished from the country, but his wealth and property are not to be seized, if a member of any other caste commits intentionally these crimes, all their estates and belongings shall be seized and they shall be exiled from the land."(34)

❁ The Brahmin cannot be given capital punishment, only his head is to be shaved. Members of other castes can be given death sentence.(35)

❁ It is not permissible for the Raja to kill a Brahmin, no matter how much evil he has done.(36)

If a Brahmin kills a shudra then there is no punishment for this except that he has to pay expiation. This expiation is the same as that for killing a mongooses, a lizard, a mouse or a snake.(37)

When the Greatest Benefactor of Mankind ﷺ announced the principles of equality regarding retaliation and blood-money, he set an end to all the unjust regulations of the age of ignorance, which divided people into worthy and worthless and where justice was biased. He established a firm principle of retaliation and bloodmoney on the base that all humans are created equal and have equal rights to receive justice. By this he abolished the rules of the days of ignorance forever. Further he stated that whoever does an increase or decrease regarding bloodmoney and retaliation, thus trying to revive customs of the days of ignorance, he himself is ignorant.

➤ **EQUALITY OF MAN AND SETTING AN AND TO DIVISION INTO CLASSES AND ANCESTRAL PRIDE**

"People! Your lord is one and you father is one, all are offspring of Sayyidina Adam ﷺ and Sayyidina Adam ﷺ was made from clay.(then he recited):

"Oh people! We brought you forth from a man and woman and divided you into different nations and tribes so that you may know each other. The most honourable in the sight of Allah is the most god fearing. No doubt Allah is Wise and Aware."

No Arab is superior to a non-Arab, and no non-Arab is superior to an Arab. Neither is a red skinned person superior to a black-skinned, nor is a black skinned person superior to a red-skinned person expect with regards to piety.”(38)

This announcement was made at a time when many nations and tribes still held the belief that the upper classes of society are of superhuman descent. Many families prided themselves in having the sun or the moon in their ancestry. In the Holy Qur'an is mentioned how the Jews and Christians would boast of their assumed special status with God;

“And the Jews and the Christians say: ‘we are the children of God and His favourites.’” (5,18)

The pharaohs of Egypt claimed to be the offspring of the sun god and in India even today exist some households who claim to be the children of the sun and the moon. The Persian Emperor (Khusroe) claimed to have divine blood flowing in his veins and the Chinese Emperor was thought to be the son of heaven. The general opinion was that the rulers and dignitaries must have some holy heavenly element in them.(39)

During the age of ignorance the pagan Arabs used to believe that since they are the offspring of Sayyidina Ibrahim ؑ the Friend of Allah, and the residents and citizens of the Holy Land and the Holy City of Makkah, and the caretakers of the Holy Kabah, that because of all these virtues they are superior to the remainder of mankind, that no one is equal to them in status and nobility and that they have far more rights than anyone else.(40)

Such was the time and the general attitude when the Greatest Benefactor of Mankind ﷺ declared all mankind to be created equal, thus setting and end to the century old traditions of racial prejudice, ancestral pride and the unfair division of society into highborn and lowborn. Here are those immortal words which the Messenger of Allah ﷺ spoke at the occasion of his last Hajj:

“People! Your Lord is one and your father is one, all are offspring of Sayyidina Adam ؑ and Sayyidina Adam ؑ was made from clay. No Arab is superior

to a non-Arab and no non-Arab is superior to an Arab; and no red-skinned person is superior to a black skinned person and no black-skinned person is superior to a red skinned person except with regard to piety."

The necessary outcome of these teachings was the establishment of a society based on the principles of equality. Abolished were all the differences of classes and castes, Arab and non-Arab, of noble and mean birth,

This has been, without any doubt, far more perfect than the charter of the League of Nations" and also carried for more benefits. Professor Sanog Hergroncz, a non-Muslim, acknowledges this fact in his scholarly exposition "The Muslim World Today", stating that this exemplary concept on which the League of Nations has been based, was present already long ago in Islam and that as a matter of fact the League of nations was mode according to these principles. Islam has accepted the equality of different human races with such earnestness, that other nations should feel ashamed.(41)

ANCESTRAL PRIDE AND SOCIAL STRATIFICATION DURING THE DAYS OF IGNORANCE

Discriminatory practices in the days of ignorance based on class, race and nation can be studied in context of the last sermon of the Holy Prophet ﷺ. However to have some more historical background it would be useful to go deeper into the matter.

In the days of ignorance mankind was divided on the basis of class, race, creed, etc. This human inequality had become so rampant that it had practically become a part of religions, legal and social systems.

Let us now have a look at the way the Quraish thought of themselves with regard to religious affairs.

They thought since they are the offspring of Allah's Friend, Sayyidina Ibrahim ؑ, residents of the Holy Land, custodians of the Holy Ka'bah and citizens of Makkah Muazzamah, for all these reasons they are the noblest of the whole human race, with no none to equal them, no one enjoying the same rights and status as they.

They considered it to be below their dignity to leave the limits of the Haram, While performing Hajj they did not proceed to Arafat like all the other pilgrims but rather stayed at Muzdalifa.(42)

The Quraish did not perform some rites of Hajj like other pilgrims would do, it was in their opinion disgracing to mix up with pilgrims of other tribes, so they would leave them. They would tell the people of their clans: "You are the children of Ibrahim ﷺ, you are the residents of Makkah Mukarramah and the custodians of the Holy Ka'abah, your honour and prestige is the highest as compared to others, no other Arab enjoys the rights you enjoy, you are the most respected of the Arab tribes. In short there is no one as great as you!"

This arrogant attitude was the reason why the pagan Quraish did not stand in Arafat as other Hajj would do.(43)

The distinction between Arab and Non-Arab, virtual non existence of equality, the concept of high, and lowborn was penetrating even marital life. Due to ancestral pride and bias towards other tribes, members of the upper class would not marry their daughters to anyone below their status, or to any foreigner. They thought all non-Arabs to be less noble than Arabs. If any Arab would marry a non-Arabs woman, then his children were considered to be of low birth. (44)

The worst aspect of discrimination on basis of descendance and race, this artificial division into noble and mean were discrimination in legal situations.

Regarding retaliation the mode of action was, in case a high-ranking person was killed by someone of lower birth, not just to kill the killer, but a member of the killer's tribe who was equal in rank to the killed. This confused concept of justice was expressed thus:

"The murder of an honourable man can only be retaliated with the blood of an equally honorable man."(45)

During the days of ignorance the custom of boasting reached incredible heights, be it with regard to wealth, knowledge, virtues, ancestry, or whatever. For the sake of

show people would not only tell their own - often only imagined - virtues, but they would also go to the graves of their forefathers, bragging about their virtues and then question the ones present if there is anyone to rival them in their greatness. (46)

The Greatest Benefactor of Mankind ﷺ declared all those false ideals and baseless theories to be void. In his ever luminous Khutba Hujjatul Wida he stated in the clearest of terms:

“Oh people of Quraish! No doubt Allah the Exalted has purified you from all traces of ignorance and ancestral pride. People! Your lord is one and your father is one, all are offspring of Sayyidina Adam ﷺ and Adam was made from clay.”

ANCESTRAL PRIDE AND CASTE SYSTEM IN HINDUISM

Hinduism takes the leading role in history with regard to social stratification, ancestral pride and caste system. Its religious and mundane literature is abounding with references to this artificial division of society and all injunctions concerned with it. Allamah Syed Abul Hassan Ali Nadwi writes.

“India stands far above its neighboring countries and the rest of the world when it comes to social stratification, discrimination and inequality between men. The system of stratification in India is rigid and merciless. There is no way whatsoever to achieve any relaxation in it.

This system has been based on different groups of professions which were inherited by one generation from the other. It was fully sanctioned by the social and religious law of the country, which in turn was laid down by such legal experts who were also considered authorities in religious matters. This law was fully applicable to the whole of society and made up an integrated part of everyday life.” (48)

The division had its origin in the Vedic era, The Aryan conquerors imposed it on the native population so as to make sure that the superiority of their race remains established.

The French research scholar Gustave Lebon writes in "Indian Civilization" as follows:

"At the time the Aryans, who were a light complexioned people, came to India there resided, besides former conquering nations, the dark-complexioned, almost barbaric natives. They were ruled by a king, who in turn was subject of the priests, because through the priests he continued to be supported by the gods. The Aryans followed 3 types of vocations which divided their society into 3 classes.

The Brahmins. They were the class of priests.

The Khateri. They were the class of soldiers.

The Desh. They were labourers and farmers.

Apart from these 3 groups or castes of Hinduism, there was a fourth group also which comprised the natives of India. They are known as Shudra and made up three-fourth of the population. (49)

After India attained its independence the backward classes (lower castes) were guaranteed the protection of their human rights in the Article 15.4, 16.4 and 24 of India's constitution.

The Indian government established the first commission concerning the rights and affairs of the backward classes (lower castes) in 1953. It recommended the reservation of 2399 jobs in government departments and seats in educational institutions for members of the lower castes. The caste system of Hinduism was made responsible for the underdevelopment of the backward classes by this commission.

The Mandal Commission was established on government level in 1980. After enquiring into the reasons and cause of India's unjust caste system, how it began and how it evolved the "Mandal Commission Report of the Backward Classes Commission 1980/Reservations for backward Classes" was published.

After the legal experts of the 1980 established commission declared the religious doctrines and literature of Hinduism to be the reason for the unjust social stratification (caste system) and the reason for the

backwardness and exploitation of the lower castes, some recommendations are presented. In the fourth chapter of the report is mentioned very briefly how the concept of backward classes came into being and how it led to this exploitative system which is completely void of human equality. In it is written:

4.1 Castes are the building bricks of Hindu social structure. All sorts of virtues and evils have been attributed to caste system by the social historians. But this controversy is not germane for our purpose. Here we are mainly concerned with the manner in which caste has fragmented the social consciousness of Hindu society by dividing it into numerous groups arranged in a hierarchical order. In his *Contemporary Indian Philosophy*, Prof. A.R. Wadia had observed, "The high metaphysics of Upanishads and ethics of the Gita have reduced to mere words by the tyranny of the caste. Emphasising the unity of the whole world, animate and inanimate, India has yet fostered a social system which has divided her children into water-tight compartments, divided them from one another, generation to generation, for endless centuries." It may be further remarked that in this process of division, groups called castes have been permanently assigned high or low ranks simply on the basis of birth. (50,51)

The one to be held responsible for giving a concrete form to those erroneous and oppressive teachings and their implementation is the celebrated Hindu legal expert and religious cultfigure "Manujee" who has been drafting a legalisation for the Hindu civilization in 300 B.C. This draft soon attained the status of a legal code for the whole country and that of a religious document.

The religious literature of Hinduism constitutes the very source of caste-system; In the *Manushaster*, one of the law-giving religious scriptures of Hinduism which is considered to be highly authentic, the following is stated:

"The omnipotent Creator has made the Brahmin from his mouth, the Chateri from his hands, the Desh from his thighs and the Shudra from his feet, so that they may populate the world." (52)

The Aryans used to believe that since God created the Brahmin from his mouth, the Brahmin are like the tongue of God, whatever they say is like a divine decree, applicable for the whole mankind, in other words when a Brahmin speaks it is not a human being speaking, but it is God himself speaking. Due to this Philosophy it has been made obligatory for the Brahmin to study the Vedas. Members of other castes held the Brahmin in such high esteem that soon he was raised to the status of a god.(53)

According to Al-Birooni, a well known Arab geographer and historian the distinguishing colour of a Brahmin is white, the colour of Chateri and Desh are brown and the Shudras have black skin. (54)

In the Manushaster is further stated that the word Brahmin carries two meanings, purity and auspiciousness; the word Chateri carries also two meanings, wealth and security, the word Desh means wealth and nurture and Shudra means worthlessness and the rendering of humble services.

This is the reason why in Hinduism a caste is associated with certain professions, which are divinely ordained. One caste is not permitted to carry out the profession of another caste.

A Brahmin's work consists in seeking knowledge and to spread it, to give charity, to give oblations and inspire others to give. The duties of a Chateri are to serve the Brahmin, to protect the country and to collect money from the people to achieve this objective, to punish evildoers, to spend collected wealth at the time of need, to supervise servants and to guard animals, not to ask questions and to strive to do good.

The work of Desh is to seek knowledge, to serve, to farm, and to trade. And the Shudra is supposed to serve members of the upper castes, to wear their cast off clothes and to have their left-over meals. (55)

A study of how this oppressive kind of dividing society into castes is based on teachings contained in the Holy Scriptures of Hinduism as well as the rights and duties of the four castes from the religious, social and legal point view is presented below.

CASTE SYSTEM IS RELIGIOUS TEACHINGS

In the Yajarved is written:

"The Brahmin is born for the Veda, the Chateri for governing, the Desh for trade and agriculture and the Shudra is born to live in anguish and grief."

The Manushaster states the following:

"To protect this world the Omnipotent Creator has destined different rights and duties for everyone: (56)

The duty of the Brahmin is to study the Veda, to offer sacrifice for himself and on behalf of others, to give and accept oblations. (57)

The duty of a Chateri is to guard the creation, to make sacrifice and offerings, to study the Veda and to abstain from the desires curbed by the animal soul. (58)

The duties of the Desh are to attend and guard livestock and cattle, to make offerings and sacrifice and to engage in agriculture and trade. (59)

The only duty which the Omnipotent Creator has ordained for the Shudra is to serve the upper 3 castes. (60)

THE STATUS OF A BRAHMIN AND HIS RIGHTS

The centrepiece of Hinduism is Brahmanism, i.e. the cult around the members of the highest caste.

The Brahmin has more rights than any other human being and he is treated with almost as much reference as a god. The other castes and subcastes all are supposed to render any kind of work or service, mostly to the benefit of the Brahmin. To prove this argument we shall refer to the most authentic lawbook of the Hindus, the Manusmarti, which is also an exegesis of the Vedas and considered as their guardian and protector. In it are found regulations regarding almost every aspect of human life, but the most outstanding of its teachings are related to the caste-system, and they are so abundant that even if someone would be willing to transmit them all, he would soon get tired of this arduous task and give up. The main purpose of the book seems to be the establishing of the Brahmin's superiority in all ways of life, and to prepare each and every member of society to serve him faithfully and selflessly. (61) This is expressed in the Mandal Commission Report as follows:

- 4.2 One important outcome of this ritual ranking of castes has been to create deep-rooted vested interests in this system and to enable the higher castes to exploit the lower ones through the institutional framework of social organisation.
- 4.3 In fact there is nothing unusual about this phenomenon. Ruling classes everywhere have tried to perpetuate their privileges through all sorts of devices and aristocracy has generally joined hands with the clergy in this process. Giving an example of English popular preaching in the medieval ages, Owst (G.R. Owst/ Literature & Pulpit In Medieval England, Oxford. 1961.) Writes, "..... each man's first duty be he knight or priest, workman or merchant - is to learn and labour in the things of his particular calling, resting content therewith and not aspiring to meddle with the tasks and mysteries of others. The social ranks and their respective duties, ordained by God for humanity, were intended to remain fixed and immutable. Like the limbs of the body, they cannot properly exchange either their place or function" (62)

Whenever any Brahmin is born he becomes automatically the most superior of the whole creation. He becomes the whole world's sovereign. All the world's treasures belong to the Brahmin because he is the most superior of all mankind. (63)

Anyone who insults a Brahmin is bound to sink deep into the belly of earth. (64)

Oh Anderdevtar! Punish the enemies of the Brahmins by keeping them in a world of darkness, where there exists not a trace of light. (65)

Oh Deva devi, destroy the enemies of the Brahmins by piercing them with an arrow having 100 knots. (66)

THE LEGAL STATUS ENJOYED BY A BRAHMIN

A Raja must not put a Brahmin to death, regardless what crime the latter might have committed. (67)

A Raja, even if on the brink of death, due to poverty and starvation must not let any Brahmin remain hungry. (68)

A Brahmin must not be killed, irrespective of any crime

committed by him, rather he is to be exiled from the land along with all of his belongings. (69)

Instead of inflicting capital punishment on a Brahmin, just his head is to be shaved. Members of any other caste however can be put out death without any restrictions. (70)

If a Brahmin happens to kill a Shudra no retaliation is to be taken, but he will have to give expiation. The amount payable shall be equal to the expiation payable for killing a mungoose, a lizard, a mouse or a snake. (71)

If a Brahmin stands in the need of it, he may seize the belongings of a Shudra forcefully, this is not to be considered as an offence. (72)

If a Brahmin has committed the Ragved to memory, then even if he destroys three worlds no taint of sin would befall him, and he would be innocent in any case. (73)

A Brahmin is to be considered truthful under all circumstances. If he appears as witness it is enough for him to say "I speak the truth" and he will not have to swear an oath like others. (74)

THE STATUS OF THE SHUDRA AND HIS RIGHTS

The Brahmins make up the highest caste of Hinduism, they are the most respected members of society. The Shudra on the other hand, are the lowest caste in Hinduism* and the most disdained members of society. For the sake of comparison it is necessary to give a detailed description of the pitiable state of the Shudra's, the Outcasts, Casteless, Untouchables, or "Children of God" how Gandhi termed them euphemically.

For those who wish to gather more information about the status, rights and duties of the Shudra, the study of Dr. Ram Sharan Sharma's book "Qadeem Hindustan main Shudra" shall prove highly beneficial.

After stating the reason for writing this book the author continues: It shall be attempted to give a formal and consistent account of the various evolutionary changes taking place till the year 500 C.E. and which affected the status of the Shudar.

* (acc. to some they are not even making a caste!)

Whereas the first free writing about the Shudra was a short essay by V.S. Shastri in which there is a philosophical debate over the term Shudra.

THE RELIGIOUS STATUS OF THE SHUDRA

If a Shudra recites the Veda, then his tongue is to be cut; if he hears it recited by others, then molten lead is to be poured in his ears. If Shudra learns the Vedas by heart then he is to be torn apart.(75) For a Shudra it is strictly forbidden to learn the Veda. If he does so, then he and his teacher will be born as demons in their next lives. (76)

A Shudra's dead body is to be taken out from the southern side of a city when bringing him to the burning place (Mar Ghat). He must not be taken from the northern or western side.(77)

Serving the Brahmin is the only act of worship prescribed for a Shudra. His salvation depends only on this. If he happens to do any other good deed besides this, then he will not get any credit for it. (78)

Someone who gives a conquering Brahmin's food to a Shudra will go to a place in hell which is called "Kalsantarnam."(79)

A Shudra's duty consists of serving members of the three upper castes, this is the sole purpose of his existence. (80)

A Shudra must not accumulate wealth, even if the authorities permit him to do so, because if he becomes wealthy it might be a source of grief for the Brahmin. (81)

THE SOCIAL STATUS OF A SHUDRA

If a Shudra happens to touch the food of a Brahmin, the latter must not eat from the food under any circumstances.(82)

If a Brahmin starts living with a Shudra, then he will lose his rank on account of this association within one year. If he also starts to dine with him, then he will immediately lose his caste. (83)

If a Brahmin drinks the water of a Shudra, then it becomes incumbent on him to drink for three days water heated with a special herb to become pure again. (84)

THE LEGAL STATUS OF A SHUDRA

If a Shudra takes a Brahmin's or a Chateri's name in disrespect or abuses a Brahmin, then it is the Raja's duty to punish the Shudra by thrusting a red-hot iron-nail into his throat. (85)

If a Shudra spits at a Brahmin, then his lips are to be cut, if he raises his hands against a Brahmin, then his hands are to be cut and if he kicks a Brahmin, then his feet are to be cut. If he sits at the same level as a Brahmin, then his buttocks are to be branded with a red-hot iron. (86)

Even if the Shudra is freed, he will never be considered as free because the Omnipotent Creator has destined him to be a slave, he is a slave right from the day of his birth. (87)

For more information about caste-system in Hinduism please refer to the following books:

- 1: Indian Civilization, Gustave Lebon
- 2: Armaghan Ved, Abdur Rahman Siddiqui
- 3: The Shudra in Ancient India, Ram Sharan Sharma

The caste-system is so rigid that if one is born in a certain caste then there is absolutely no way to change it throughout one's life. Manu writes:

If the low-caste Hindu opts for the profession of a high-caste Hindu, then the Raja shall confiscate the property of the low caste Hindu and exile him from the land. (88)

SOME MORE CRUEL AND OPPRESSIVE REGULATIONS REGARDING THE SHUDRA

They had to keep on earthenware dish with them to spit in it whenever the need arose. This was so because their spittle was considered impure. If it would fall on the earth, the earth would become polluted and any bypassing member of a higher caste might get polluted as well by stepping on the soiled ground.

The Shudras had to keep a small broom with them so that they could erase their foot steps.

If a Brahmin would pass by a Shudra the latter had to throw himself on the ground that his face could not be

seen. In Mumbai it is still common usage to prevent the Shudras from talking aloud on the roads.

Shudras were not allowed to enter the city of Poona from 3:00 p.m till 6:00 p.m because during this time the shadows are longest. The members of the higher castes dislike it heavily that the shadow of a Shudra should fall on them. They believe that then they become impure and have to clean themselves with a ritual bath. (89)

In spite of all those restrictions the members of the higher castes lived in constant worry that the no-castes might start revolting against the system, so the priests developed a religious philosophy to prevent any such intentions right from their beginning.

According to this philosophy the caste of a Hindu is determined right from the day of his birth and it is absolutely impossible to change it throughout one's life. Regardless of the caste in which one is born it is incumbent to follow the laws and regulations peculiar to this caste. This is his Dharma. If he acts according to it with sincerity and purity of motive, abiding truthfully by it, then he will not get any thing for this in this worldly life, but he will be rewarded in his next life by being born into a higher caste.

This is the reason why Manu states the necessity of persevering with the law and fulfilling one's duties even if badly and unsatisfactorily. But it is better to do one's work well. (90)

Thus the caste system has not only become a deeprooted part of Hinduism, but rather a permanent and unchangeable institution.

Along with the doctrine of the destination of caste right from one's birth, also the very strict regulations regarding marriage have contributed to the rigidity of the caste-system. It is strictly forbidden to marry out of one's caste. If any one acts against this, then he is to be punished. If a member from of a higher caste marries a member of a lower caste he will be counted as one of the lower caste.

To dine with member of a certain caste is covered by similiarly strict rules. Further a member of a certain caste has no other option than to go for the profession prescribed for his caste.

If all those points are taken together then one comes to the conclusion that the caste-system has become so deep-rooted in the Hindu civilization that it is almost impossible to deliver society from its curse. (91)

BEGINNING; DEVELOPMENT, REASONS AND RESULTS OF SOCIAL STRATIFICATION IN HINDUISM

A commission has been appointed by the Indian government to enquire about the origin, development and results of social stratification in Hinduism. This commission is made up by experts of all fields of life who have submitted a very detailed study of app. 400 pages about caste-system in Hinduism, the reasons how and why it came into being and the results of it.

At the conclusion of this section some excerpts of this report have been reproduced for the benefit of the reader.

“Social Backwardness and Caste” Reservations For Backward Classes/ Mandal Commission Report of The Backward Classes Commission, 1980.

4.5 The real triumph of the caste system lies not in upholding the supremacy of the Brahmin, but in conditioning the consciousness of the lower castes in accepting their inferior status in the ritual hierarchy as a part of the natural order of things. In India caste system has endured for over 3,000 years and even today there appear no symptoms of its early demise. No social institution containing so large an element of inequality and discrimination toward majority of the people can survive that long in a purely social context. It was through an elaborate, complex and subtle scheme of scripture, mythology and ritual that Brahmanism succeeded in investing the caste system with a moral authority that has been seldom effectively challenged even by the most ardent social reformers. How religion and mythology were used to weave this magic web, we shall try to show with the help of some well-known examples.

4.6 The concept of divine origin of the caste system has the authority of the holiest Hindu scriptures. As mentioned earlier, Rigveda describes the creation of

four Varnas from the limbs of Purshasukta. The Taittiraya Samhita not only ascribes the origin of Chaturvarna from the limbs of the Creator, but also interprets this origin theologically and gives divine justification of their functions and status. In the Gita, Lord Krishna says, "The four-fold Order was created by Me, on the basis of quality and action."

4.7 "All Hindu Dharma Shastras take caste for granted. All Puranas assume the existence of caste and look upon it as a permanent order of society."

4.29 As caste conditioned and controlled every aspect of an individual's life, it led to the creation of a society in which there was no 'rank disequilibrium,. In other words, the lower castes were backward not only socially, but also educationally, politically and economically. On the other hand, the higher castes were advanced in all these spheres, The basic cause of this phenomenon was the higher or lower rank of a particular caste in the ritual hierarchy.(92)

DISCRIMINATION ON BASIS OF CLASS IN THE ANCIENT CIVILIZATION

After the detailed analysis of caste-system in Hinduism we shall now inspect the concept of "human equality" as it was presented by the forefathers of nowadays standard-bearers of human rights.

GREEK CIVILIZATION

The founder of human civilization, Plato and his concept of social stratification:

Aristotle's philosophical mentor Plato stated the following, "Citizens! For sure you are brothers to one another, but the one who created you caused so to be born with different social standing. Some of you belong to the class of rulers, these have been created by God from gold, and some from silver, who are their helpers and supporters. Then there are farmers and craftsmen who have been created from brass and iron. (93)

In the old city-state of Athens the people were divided thus:

THE CLASS OF RULERS

Apart from their political authority they were also considered the highest priests.

THE CLASS OF NOBLES

They claimed to be offspring of the gods; their ancestry reached back to Zeus who was the head of the Greek pantheon. Due to this claim they could establish their superiority above the other classes.

THE CLASS OF COMMONERS

They never went on any military expedition. Their role in society, was that of boatmen, traders and farmers. (94)

In the ancient Greek City-state of Sparta division was ever more harsh. In Sparta as well the population was divided into three classes.

CITIZENS

They were the native residents of Sparta. They comprised of approximately five to ten percent of the population. This class was the ruling class and this class provided youngsters for military training.

SLAVES

Their ratio as compared to the citizens was 10:1. They made up the majority of the population: They were engaged in farming, or worked as labours or were the personal attendants of the citizens.

FARMERS

They were farmers, workers or traders and engaged themselves in a variety of odd jobs as well. In spite of being free they had no political rights whatsoever. They were not counted among the Spartans and they could not marry them. (95)

PLATO'S VIEW ABOUT SOCIAL STRATIFICATION

When once Plato was asked how a state is to be ruled so that justice may prevail, he answered:

“For this kind of governing it is necessary to divide the population into three groups:

- 1) Rulers

- 2) Army
- 3) Commoners

The first two classes are the custodians of the city-state. Thus they deserve special attention and special education should be provided to them. Plato further emphasized that it was the responsibility of the government to keep all kinds of financial worries away from these two classes. He also said if there is an increase in the number of children among the soldiers and commoners, then they should be put to death. (96)

SOCIAL STRATIFICATION IN ANCIENT PERSIA

Professor Arthur Kerston writes:

"The nobility of Persian dignitaries was measured by their ancestry and their estates. Between the noble and rich and the common man unsurmountable walls had been erected, The former had been preferred about the latter in all aspects: mounts, dress, dwelling, orchards, women and servants." (Zia un-Nabi)

Every member of society had his preordained status. During the reign of the Sassanids one principle of society was that every individual should be content with the class in which he was born and not even try to strive for the attainment of a higher rank. Members of the higher classes enjoyed special privileges. To protect the lineage of the noble and rich and their real estates was the responsibility of the law. The Emperors of Persia were so proud of their lineage that they not only considered their subjects to be inferior, but also rulers from other countries.

The professor continues: "In their letters the Emperors of Persia would always refer to themselves as being eulogized by of Mazda and attach some more divine attributes to their names, they considered themselves to be partners in the godhead and link their ancestry to the gods. (97) In a letter to Justinian the first Khusroe gave himself the following titles of honour: Divine presence, the Beneficient, Giver of Peace to the lands, Deserving Reverence, Khusro, King of Kings most honourable, Holy, Bountiful to whom the gods gave dignity in abundance and granted him kingdom, the most Excellent of Excellent,

equal to the gods.

The second Khusro Parwez went one step further, along with embellishing himself with the previous titles he continued: an imperishable human among the gods and a god unrivalled among the humans. (98)

The people of Iran were divided into different classes, each class was kept so distinct from the others that it was unthinkable to cross the gaps between them. Regardless of the class in which one was born, one was forced to live and die in it; there was no choice in matters of vocation. Members of the higher classes were enjoying privileges of which low class people could not even think. The priests taught the people to be grateful with whatever condition they were in, and that whatever vocations they and their forefather followed was not a matter of their choice, rather it was what the gods chose for them, and that no son has the right to leave with what his father contended himself. (99) Emperor Aridsher divided his subjects into four classes:

- 1) Members of the Royal household
- 2) Guardians of the fire temples and priests
- 3) Doctors, astrologers and scholars
- 4) Artisans and farmers. (100)

SOCIAL STRATIFICATION IN ANCIENT EGYPT

Priests formed the highest class in Ancient Egypt. In spite of being few in number, there was none to rival them in their authority and influence. Thousands of farmers toiled under them. The whole country belonged to the Pharaoh. (101)

THE BYZANTHINUM AND JUSTIAN'S LEGAL CODE

As already mentioned Justinian divided society in such a way that the free citizens formed the highest, the slaves the lowest class and in between several subclasses whose rights were determined by their colour, ancestry, religion, wealth, and so on.

Justinian who compiled the Byzantine law challenged the people to bring a better legal code than his, if that was

possible.

The Holy Prophet's 卐 auspicious birth took place five years after the death of Justinian.

For the implication of his legal code Justinian divided society into three major groups:

1) HONESTIORES:

These were the highest class, consisting of noblemen. They could not be given capital punishment except in case of rebellion.

2) HUMILIORES:

They could be given death sentence in case of any extraordinary offence, in general they were imprisoned.

3) SERVI:

They could be killed for any, no matter how trivial offence. (102)

THE ROMAN EMPIRE

In the Roman Empire the population was divided into two classes:

- 1) The class of Rulers
- 2) The class of Commoners

The class of rulers comprised of well-to-do families. They enjoyed all civil rights. Only owners of vast stretches of agricultural land and big estates belonged to this class:

The majority of the people belonged to the class of commoners, who were only partially considered as citizens. In the first stage of the republic they were allowed to enter the ranks of army and defend the country. (103)

Mankind was divided into two classes in the shadow of the magnificent Roman Empire, one class enjoyed all comforts and pleasures of life whereas the other class had to struggle had to make both ends meet and yet had to carry the burden of financing the country's expenditures. (104)

ZOOLOGISTS OF THE WEST AND RACIAL DISSIMINATION

Western zoologists declare man to be the most intelligent of all animals. But then they divided man into different races. This division is permanent and is based on language, colour and stature.

French zoologist Comte De Gasparin presented the idea of the Nordic race, according to which tall men with golden hair were the most capable and creative people. Another Frenchman, Valapovge, tried to prove the superiority of the Aryan race. This theory was further strengthened by archeologists, linguists, zoologists, historians and intellectuals.

During the reign of Hitler the ideology that Nordic, Aryan, and German races were created as rulers and master race was promoted. (105)

The Western zoologist Comte Joseph Arthur de Gobineau made a startling statement in his article (1853) when he claimed that people are made up of different races just like one man is different from another because of his physique, mental ability, character and habits. And that the Aryan race alone is superior to all other races.

He therefore writes:

"Every accomplishment of man whether it was in the field of science or arts or in the advancement of a civilization and everything that deserves to be considered valuable and useful, the source of all such things is one, the white race, various groups of which have ruled over several civilized nations. History tells that the origin of all civilizations was the white race and without them the existence of any civilization would have been impossible." (106)

THE SO CALLED CIVILIZED WEST AND HUMAN INEQUALITY

In the last few centuries racism spread very fast in the so called civilized Europe and it still exists in one way or the other.

In the beginning the people of Europe differentiated themselves from others on the basis of culture and colour.

They developed this theory that they were superior and others inferior. The evolution theory has further supported this argument that humanity is passing through various evolutionary phases and the western civilization is the end stage.

According to this Europe's white people were declared to be a developed and civilized race and the non-whites were declared to be underdeveloped, uncivilized and still in the evolutionary process.

It was because of Darwin's Evolution theory that the European nations considered others inferior to them. Consequently the theory of "White Man's Burden" came into being according to which the white nations had the right to occupy the rest of the world and to teach them civilization. (107)

The rise of racism in Europe can be attributed to two old theories:

- ❁ Greeks and Romans were created a superior race.
- ❁ God made Jews superior. (108)

Europeans (whites) who were more civilized and developed than Africans (blacks) started looking for moral justifications of slavery in order to get their material gains. They believed that since the Africans were uncivilized, illiterate and backward, they neither have a culture nor a civilization, therefore it is not immoral to use them as slaves. (109)

Although European nations were able to find a moral justification for slavery but the resulting oppression and injustice in Europe and America need to be studied carefully.

The Africans were given a status lower than humans. They were used for menial and strenuous work. The west created a very low image of them in the eyes of the world. Racism was promoted because of their hatred and enmity towards the Africans. This was so deep rooted that even today racism exists in Europe and in the USA, and even after having reached the status of developed nations they have not been able to rid themselves of it. (110)

Racism and the discrimination between black and white

degraded the black so much that from 1593 to 1700 three Million Africans were sent to the new settlements. Between 1701 and 1810 slave trading rose to 9 Million. From 1811 to 1870 109 Million black Africans were made to leave their homes and were sold like animals just because of the colour of their skin. The English, the French, the Spanish, the Portugese, the Germans all were involved in the slave trading. (111)

Nations can change then way of thinking, their culture but they cannot change their colour. And this is the reason why the West continues its discriminatory practices.

In the Christian (European) culture black or white prejudices are very old. Even before first contacts with black people the colour black used to stand for sin or evil. It was associated with death or hell. Terms like black sheep, black list, black magic are used even today with a negative connotation.

As opposed to this white is considered the colour of innocence, purity and peace. So when Europe and Africa clashed, the already existing prejudice helped spreading imperialism and colonialism. (112)

Racist Europe used Darwin's theory of "Survival of the Fittest" to achieve their goals and proved that only the whites were the natural rulers of the world and their main attribute is their physiognomy. (113)

In the 18th centery a black slave who fled the USA, the leader of the civilized west and the standard bearer of human rights had the following to say about the faults of this system.

"The law gives the master unlimited authority over the slave. He can give him any kind of work... and sometimes he can even kill him. Without exception a slave inspite of being human does not have any rights, he is like a personal property like a dog or a horse. In the book of his master his name appears alongside horses, sheep and pigs. As per the law he cannot have a wife, child, house, any possession, he cannot own or keep anything.(114)

In 1809 a court in North Carolina gave the ruling that young slaves are like cattle. (115)

In the center of civilization, being black is a crime and

blacks are practically devoid of freedom and human rights. In some areas of the USA a black is legally not allowed to marry a white nor can he live along with them in schools, universities and hospitals. Instead there are separate schools and hospitals for whites and blacks. The entry of blacks in the gatherings of whites, restaurants, dining halls, guest houses is not allowed. In some churches blacks are not even allowed to perform their religious rites. (116) Renowned American author Harry Harwood writes,

“It is correct that the slavery of the middle ages has been ended in this era but slavery continues to exist in our system in the shape of racial discrimination. Even today attempts are made to force blacks to lead a life of disgrace.” (117)

Africa was declared to be the “Dark Continent”. Because its inhabitants were black, they were considered inferior.

In the 15th century the idea that Negroes are born slaves came into being. They are primitive and incapable of becoming civilized.

In 1900 there were some 90000 negroes in the USA. In 1960 their population rose to 16 Million. In 1900 they were mostly unemployed and had no opportunities of getting education. They were doing menial jobs and getting very low wages. 45% of them were illiterate. Most of them did not have the right to vote or to perform duties in the jury. In the South they had separate schools, transports and even recreational areas. They were also discriminated for residence and employment. (118)

In America the population of blacks is now more than 30 million. 42% American Muslims are black. White Americans hate them so much that they cannot stand them as a part of their society. So much that even their residential areas are outside the main residential area of the Whites, they are called “Ghettos”. It is a practice of the days of slavery and reminds us of those times. (119)

UNO's commission for civil unrest writes in its report of 1968 about the tendencies in the American nation:

“Our nation is moving towards two societies, one black, one white-separate and unequal.” (120)

One incident in Washington created a commotion in the American society. Right in front of the White House on the Mall Road black men gathered for a huge rally. According to the western media some 400.000 people participated. However the organizers claimed that there were 1 million people. This rally was called "Million Men March" and was organized by Mr. Farakhan leader of the group "Nation of Islam". After the 1961 struggle for human rights this was the largest gathering of blacks. People of all ages and professions came to attend the rally from all parts of the country.

One main motive behind the march is the feeling of deprivation which has existed for many centuries. One common view in the American society about blacks is that they are unintelligent and criminals by birth, therefore they are deprived of benefiting from a democratic system. Their standard of living is very low. According to a survey the average lifespan of a black man is 65 years which is 8 years less than that of an average white man. Major cause of death among black youth is murder. Every one out of three blacks aged between 20 and 29 years is either behind the bars or on probation or parole. Before world War II only 5% of blacks were a part of middle class. Today although 60% of them are middle class, yet they have failed to get high paying jobs just because the skill and expertise required for modern day white collar jobs cannot be developed in the schools in black localities. The American government is realizing that the injustice in their society is increasing racial frictions. The senior officials in the Clinton Administration have urged Presiden Clinton to announce a comprehensive line of action about the urban areas in order to avoid the situation from deteriorating any further. According to a source of the weekly "Time" magazine White House's advisor for economics affairs, Laura Tyson has sent a memorandum to all cabinet secretaries and senior officials of the White House. This memorandum has asked for announcing a policy for improving the economic condition of those living in poor localities. In addition to this, 6 Congress members have requested president Clinton to immediately formulate a commission the objective of which will be to study the extent of racism.

The corner Commission which investigated the reason for violence which spread across several US cities in the sixties wrote in its reports:

“Our nation is moving towards two societies, one black, one white-scperate and unequal.”

This report was released in 1968. 27 years later, today things have become much worse. (121)

In the recent civil war in Rwanda there is an excellent example of war based on racial discrimination between black and white:

“In the African country of Rwanda we have a horrible example of spilling human blood in racial and tribal clashes. According to the media of the United Nations 500.000 to 1 million people lost their lives in this war based on racial prejudices and discrimination, which started on 16.4 1994. As a matter of fact the unrests in Rwanda are the outcome of the deep impact European settlements left. Based on racial prejudices between the tribes of Hutu and Tutsi a great number of Hutus have been killed in this civil war. The Hutus are black in colour with definite africanoid features whereas the Tutsis are lighter complexioned and their features resemble those of Europeans.” (122)

One of the major causes due to which black Africans living in the western world convert to Islam in stunning great numbers is the system of equality in Islam. Simply by converting to Islam they are freed from the curse of racial discrimination and all its varieties. The Greatest Benefactor of Mankind ﷺ announced on the occasion of his last Hajj.

“Your Lord is one and your father is one, all are the offspring of Adam and Adam was made form clay. Neither is an Arab superior to a non-Arab nor is a non-Arab superior to an Arab, neither is a black-skinned person superior to a white-skinned person nor is a white-skinned person superior to a black-skinned person except with regard to piety.”

The effect of this eternal declaration of human equality is that the most liked religion among black nations is Islam,

and they enter into its fold in flocks.

ESTABLISHING EQUALITY AMONG THE PEOPLE AND SETTING AN END TO SOCIAL DIVISION BY THE GREATEST BENEFACITOR OF MANKIND ﷺ AT THE CONQUEST OF MAKKAH

It was the 10th of Ramadhan 8 A.H. corr. to January 630 when the Greatest Benefactor of Mankind ﷺ entered Makkah as glorious victor over the pagan forces. He stood at the Door of the Holy Ka'abah and delivered, a historical speech in front of the Quraish. In it he announced the equality of men and abrogated all the laws and customs which discriminated between people of high birth and those of low birth. He said, "Oh people of Quraish! This day Allah sweeps away all the pride of pagan days and all notions of superiority by birth. The whole human race has descended from Adam and Adam was made from clay." (122) "Oh Mankind verily We, We have created you of a male and a female and We have made you nations and tribes that you might know one another. Verily the most honourable of you with Allah is the most pious of you. Verily Allah is Knowing, Aware. (49.13) In one narration by Sayyidina Abdullah bin Umar the following addition is made.

"Oh people of Quraish! This day Allah sweeps away all the pride of pagan days and all notions of superiority by birth. Men are of two kinds: a good man is he who is god-fearing and generous and a wicked man is he who is vicious. The whole race has descended from Adam and Adam was made from clay. 'On Mankind verily We, We have created you of a male and a female....' (124)

Ibn Abi Hatim mentions the incident, while making reference to Sayyidina Abdullah bin Umar as follows:

"The messenger of Allah ﷺ circumbulated the Sacred Ka'abah on his she-camel Qaswa making Istilam of the corners with his stick. He did not find a place in the proximity of the sanctuary to make his camel sit down. He then brought his camel into the middle of the valley and made her kneel there. While still mounted he started to address the people, he began with the praises of Allah, the Most

High as much as is due to Him then he continued:
 'Oh people of Quraish... He ended his talk thus,
 'Now I finish my talk and ask forgiveness for myself
 and for you.' (124)

Similarly is the narration of Sayyidina Abu Huraira, in which the following words are also mentioned:

"Allah Most High, has removed from you the pride of pagan days and its boasting in ancestors. One is only a pious believer or a miserable sinner. You are all sons of Adam and Adam was made from clay. Let the people cease to boast about their ancestors. They are merely fuel for the fire of Hell or they will certainly be of less account with Allah than the beetle which rolls dung with its nose." (125)

On the same authority has been reported:

"Let the people stop to boast about their ancestors who are dead since long and fuel for the fire of Hell, other wise their worth in the sight of Allah will be less than that of a beetle which rolls dung with its nose. Verily Allah has removed from you the pride of the days of ignorance and boasting because of one's ancestors. There are only two kinds of people, A believing man, fearing God and a wretched sinner. All men are the sons of Adam and Adam was made from clay." (127)

Imam Baihaqi mentions the following details:

"Oh Mankind! Verily your Lord is one and our father is one. An Arab is not superior a non-Arab and neither is a non-Arab better than an Arab. And no black skin is better than a red skin and no red skin is superior above a black skin except with regard to piety. No doubt the most noble among you is the most pious among you. Did I convey the message?" They said: yes, on Messenger of Allah ﷺ. then he said: "Let those who are present here inform those who are present here inform those who are absent." (126)

Ibn Abi Hatim narrates as follows

"Oh you people! No doubt your lord is one and your father is one. An Arab is not better than a non-Arab and a non-Arab is not better than an Arab. And neither is a black-skinned person better than a

red-skinned person nor is a red-skinned person better than a black-skinned person except when it comes to piety. The best from among you in the sight of Allah is the most pious of you.”(127)

How well the Author of “Mahboob-e-Khuda” expressed himself when he wrote:

“Can there be said anything more about equality of men and equality of genders? Ancestral pride and racial discrimination degraded worldwide the value of a human life so much that just thinking of it causes one to shiver.”(130)

The Hindu Scholar Chowdhery Chotoram puts it thus:

“The spirit of Islam is brotherhood and equality. Other religions also stress on these two qualities, but in practice and theory only Islam has established sound principles of brotherhood and equality.”

The Messenger of Islam ﷺ has erased all notions of pride regarding colour, ancestry, and nationality, making sure that Islam is a religion which is based on equality. That is also the reason why Islam is unmatched in this respect, this has especially been stressed in the Khutbah which he ﷺ has delivered on the occasion of the Conquest of Makkah before the Quraish. “Oh people of Quraish! The pride of the days of ignorance has come to an end and will never return. You all are the offspring of Sayyidina Adam and Adam was made from clay. In the sight of Allah only such people are worthy of honour and respect who lead a pure life free from all sorts of vices!” (131)

The Hindu Seerat-writer Rama Krishna Rao has authored a book in English about the Holy life of the Greatest Benefactor of Mankind: “Muhammad The Prophet of Islam ﷺ, in which he states that the principle of world wide brotherhood and equality of man as the Holy Prophet ﷺ preached are of tremendous importance for political progress. All major religions preach something of this kind, but it was only the Holy Prophet ﷺ who put this theory into practice. It will still take a while for the people’s common sense to awaken and their fully realizing the importance of this teaching. Then racial prejudices can

come to an end and a powerful concept of human brotherhood will come into being. (132)

The Western Scholar A.J. Toynbee writes in "Civilization on Trial" something to this effect that Muhammad ﷺ, set an end to discrimination on basis of colour and ancestry by the means of Islam. No other religion has been in this regard as successful as the religion which Muhammad ﷺ brought. The needs of the world today can be only fulfilled by the concept of equality which Muhammad ﷺ preached. (133)

The Holy Prophet ﷺ not only made a formal announcement of the equality of men but also made practical implementations of this very announcement. All the socio-cultural remnants of discriminating laws and customs of the days of ignorance were overthrown and all the bias and notions of racial superiority were erased. The Messenger of Allah ﷺ announced that all men are created equal and at the same time he gave a practical demonstration that a white man's not better than a black man. The demonstration he made left not only the Quraish, but also all the other tribes of Arabia, Muslim and non-Muslim alike stupefied.

At the Conquest of Makkah the Holy Prophet ﷺ was accompanied by ten thousand Sahabah, including those who got already in this world the glad tidings of Jannat including the future Khulafa-e-Rashideen, including the participants of the Battle of Badr and Uhud, some leader of major important tribes and many other eminent figures but!

The Greatest Benefactor of Mankind ﷺ did not choose any of the above for this great demonstration of human equality which he was about to give. He ordered Sayyidina Bilal ؓ: "Bilal, get on the top of the Ka'abah and give Azan!" He ordered an Ethiopian former slave to climb on that sacred building which was build by Ibrahim the friend of Allah; that building whose dignity and sanctity was firmly engrained in the hearts of the Makkan Kuffar and the Muslims; that building which everybody took as a symbol of pride. To stand on this most holy landmark was the lot of Sayyidina Bilal bin Rubah Habshi ؓ.

This incident was not only unique in the history of

Arabia, but rather in the history of the whole ancient world. Had Islam not reigned supreme, this insult, this unthinkable act, this outrageous step would never have been tolerated by the Arab people who were fully immersed in ancestral pride and their discriminatory social system. This whole affair was indeed very strange for the people of Makkah, this can easily be deduced from the harsh remarks made by some of the Makkans in face of this revolutionary step. Still intoxicated with the drug of lineage and nations of superiority Utab bin Usaid said the following:

"How well is my father off! Allah spared him from hearing this voice by making him enter the grave!"

Harith bin Hisham remarked:

"Did Muhammad ﷺ not find any better Muazzin than this black crow (نَعُوذُ بِاللَّهِ)?" (132)

Prof. Rana Krishna Rao comments in his book "Muhammad the Prophet of Islam ﷺ": The steps taken by the Messenger of Allah ﷺ to establish equality among men this, that giving the call for prayers has been an honourable post since the early days of Islam, and this honourable post had been entrusted to a freed black slave. The Messenger of Allah ﷺ ordered, after Makkah was conquered, that Azan be given for Prayers. This former slave with his black skin and thick lips got on the top of Holy Kabah which has been the most sacred and historical place in the Islamic world and at that time some noteables among the Arabs exclaimed painfully: Uff this black Ethiopian slave, how outrageous it is that he stands on the top of the Holy Ka'abah to give Azan." (133) The Messenger of Islam ﷺ finished this nation of pride for good.

The announcement that all men are created equal which was made by the Greatest Benefactor of Mankind ﷺ was not just preaching or a theoretical lesson, but rather it was supplemented very effectfully with an unprecedented practical step. All the people of the world are the offspring of Adam, he is the common ancestor to each and every one. If all the members of a family are of the same rank, then what justification remains to maintain the doctrine of born superior or inferior, born master or born slaves. All theories regarding colour and race were

made up by those people who forgot the actual relationship among men, or who became eager to divide mankind due to their own prejudices. Allah discriminates people by their deeds alone. The one who knows and lives up to his knowledge is superior to all in the sight of Allah, it was only the Holy Prophet's ﷺ implementation of the teaching of equality of man that his idol of pride, noble lineage and high birth was knocked from its socket. Pride and racial prejudice were so uprooted in the hearts of the pagan Arabs, especially the Quraish, that it even prevented them from performing some of the rites of Hajj along with other tribes. When the Greatest Benefactor of Mankind ﷺ declared human equality, he transferred the honour of changing the world history, civilization and culture to Sayyidina Bilal Habshi. Now Sayyidina Bilal ؓ is not just freed slave any more, now he is a master, holding a lofty respectable position in society.

Even the Great Caliph Sayyidina Umar Farooq ؓ addressed Sayyidina Bilal ؓ respectfully as "my leader, my master" Rana Krishna Rao writes to the effect that the second Caliph of Islam, who is known as Umar Farouq would get up whenever he saw that former slave and welcome him with these words "our teacher has come, our leader has come." What a revolution took place through the Holy Qur'an and the Holy Prophet ﷺ, it was a complete transformation of a people who were the most proud in the olden days. (134)

What a high rank Sayyidina Bilal ؓ must have held can be easily judged from the fact that when he expressed his desire to marry, the chieftains of the Quraish offered him most willingly their daughters. Allamah Shibli Nu'mani composed these couplets:

بارگاہِ نبویؐ کے مؤذن تھے بلالؓ
 کر چکے تھے جو غلامی میں کئی سال بسر
 جب یہ چاہا کہ کریں عقدِ مدینہ میں کہیں
 جا کے انصار و مہاجر سے کہا یہ کھل کر
 ہوں غلام ابنِ غلام اور حبشی زادہ

یہ بھی سن لو کہ مرے پاس نہیں دولت و زر
ان فضائل پر مجھے خواہش ترویج بھی ہے
ہے کوئی جس کو نہ ہو میری قرابت سے عذر
گردنیں جھک کے یہ کہتی تھیں کہ دل سے منظور
جس طرف اس حبشی زادہ کی اُٹھتی تھی نظر
عہد فاروقؓ میں جس دن کہ ہوئی ان کی وفات
یہ کہا حضرت فاروقؓ نے با دیدہ تر
اٹھ گیا آج زمانہ سے ہمارا آقا!
اٹھ گیا آج نقیب چشم پیغمبر
اس مساوات پر ہے معشر اسلام کو ناز
نہ کہ یورپ کی مساوات کہ ظلم اکبر (137)

HAJJ A UNIVERSAL DEMONSTRATION OF THE EQUALITY OF MEN

Brotherhood and togetherness are distinguishing qualities of all acts of worship in Islam. The ritual prayer is the most important pillar of Islam and the greatest right Allah has on his servants. The prayer is to be offered with congregation, a congregation in which all differences among people are leveled to the ground. Similarly is the case with the obligatory fast, which has been made a duty for all believers at the same time. Everyone remains hungry and thirsty throughout the day and is expected to engage in prayers throughout the night. But the biggest demonstration of all men being equal is that vast gathering which performs the pilgrimage every year.

Allah was ordering his friend Sayyidina Ibrahim عليه السلام

“And proclaim to mankind the Hajj. They will come to you on foot and on every lean camel, they will come from every deep and distant mountain highway. That they may witness things that are of benefit to them. (Holy Quran, 22:27f.)

It is during this great act of worship, while performing this most sacred duty that Allah the Great teaches the Muslims the spirit of brotherhood and togetherness.

“And remember when We made the “House” a place of resort for mankind and a place of safety. And take the place of Ibrahim as a place of worship. And We commanded Ibrahim and Ismail that they should purify My House for those who are circumambulating it, or staying, or bowing or prostrating themselves.” (Holy Qur’an 2,125)

The Divine Commandments and the Noble Sayings of Allah’s Prophet ﷺ make it very clear that all Muslims are united by the bonds of brotherhood. Islam urges all Muslims to live united and in agreement and forbids splitting up and differences. Allah the Great says in the Holy Qur’an,

“And hold fast, all of you together, to the rope of Allah and be not divided among yourselves.” (3,103)

The pilgrimage to the Sacred House is the best way to create the spirit of brotherhood and togetherness among the Muslims. It is a practical demonstration of these two qualities. Obeying the Divine Commandment, hundreds of thousands of people from all corners of the world come to the Holy Land for the sake of performing the sacred rites and giving a wonderful example of brotherhood and togetherness, an example which has no match in any other religion, nor in the whole history of the world. At this occasion the shackles and fetters of discrimination are broken, the differences between beggars and kings, well-off and poor, high-born and low-born, differences of colour, race and ancestry, all cease to exist during the days of Hajj. Each and every person is just a supplicant in the Court of the Almighty, crying for protection and crying for forgiveness.

All Muslims, regardless of their colour, race tribe or nation don the same humble pilgrim’s garb, they all are united to worship Allah the Magnificent. Now it does not matter who is rich and who is poor, who is ruler and who is ruled. All of them perform the same Tawaf round the same sacred House, in the same outfit, while the whole places

echoes with the same call: "Here I am, Oh Allah, here I am!"

The well renowned European historian Phillip K. Hithi writes in "History of the Arabs" that since centuries this custom (Hajj) works as a highly effective power to achieve continuous unity. Muslims of all kinds are united on basis of this highly effective force. The social impact of this great annual gathering cannot be exaggerated. These Ethiopians, Chinese, Syrians, Arabs, the rich and the poor, the higher and the lower become brothers to each other on basis of their common religion. It should be known that out of all the world's religions only Islam has been so successful in breaking down the walls of colour, race and nationality. (136)

Dr. E.R. Reading who is an authority in the fields of politics and philosophy wrote in 1943 in the May Edition of the Twentieth Century Magazine that the age-old problem of racial equality could not be solved, by any of the world's religions or ethical concepts except by Islam. It is only in Islam where all the believers regardless of their colour or race are truly considered to be brothers, enjoying perfect equality. (137)

Prof. S. Rama Krishna Rao writes:

"Every year the world is witness to that fantastic international demonstration of brotherhood which extinguishes all differences like colour, race and status. In Makkah Europeans, Africans, Iranis, Indians, Chinese, all become members of one family, all wearing the same kind of dress. Nothing remains that could distinguish between the small and the big, and spiritually one perceives that Islam is a truly international religion."

"Here I am, Oh Allah, here I am!"

Whenever one thinks of Hajj one thinks automatically also of the last Khutbah of Allah's last Prophet ﷺ, the chief of all Prophet's, Sayyidina Muhammad Mustafa, which is commonly known as Khutbah Hujjatul Wida (which holds the rank of a perfect law and human rights charter for the whole Muslim Ummah) and how the Noble Prophet of Allah ﷺ addressed his devoted followers who were

prepared to sacrifice everything, even their lives for the good pleasure of Allah and the love of His Rasool ﷺ:

“Oh People, your lord is one and your father is one, all are born from the loins of Sayyidina Adam and Sayyidina Adam was made from clay. (then he recited), Oh people, We brought you forth from a man and a woman and divided you into different nations and tribes so that you might know each other. The most honourable of you is the sight of Allah is the most pious among you, No doubt, Allah is Wise and Aware, No Arab is superior to a no Arab and no non-Arab is superior to an Arab and no red skinned person is superior to a black-skinned person and no black-skinned person is superior to a red-skinned person except with regards to piety. Did I convey the message? Allah, be witness!

From this it becomes perfectly clear that if there is any standard to judge a human being, then it is only piety. In this eternal message the Most Beloved Prophet of Allah ﷺ also said: “O my companions! I am afraid lest you return to disbelief after my demise.” The Sahabah Akram asked in bewilderment: “How that oh Messenger of Allah?” Oh this he replied: “By cutting each others throat.”

In the light of these sacred utterings the need for the unity, brotherhood and togetherness of all the Muslims of the Islamic world becomes crystal-clear. The Noble Prophet ﷺ taught the Muslims during the Khutbah on the occasion of his last Hajj the lesson of brotherhood and togetherness of all Muslims. He taught them to hold fast unto the rope of fraternity and unity and to trample the evils of nationalism and prejudices under their feet. This is the very spirit of worship and the essence of Islam.

The worldwide revolution which was brought by the Greatest Benefactor of Mankind ﷺ and its outcomes have been depicted by the European Scholar Dr. Deelaugh in his book “Our perfecting World” as follows:

“Out of all the world’s religions only Islam remained aloof from distinction on basis of colour and race. This open mindedness has been a favourable condition for those who accept Islam,

whether they be Negroes or Untouchables. There is no kind of obstacle or discrimination whatsoever which would affect their accepting the faith. Similarly their social circle is fully accepting them, granting all their rights to them. Islam breaks down the walls of colour and race and grants a society based on perfect equality to all its members, letting them be a part of the nation on basis of a perfectly equal society." (140)

Africa's well-renowned writer of British origin, Sir Alan Burns, writes:

"The record of Islam with regard to discrimination and characteristics is better than that of Christianity. Islam annihilated racial prejudices and nationalism, it finished the caste system, it rejected discrimination on basis of colour and every other obstacle which divide mankind."

Philip K. Hitti writes in his famous book "History of the Arabs" the following about the exemplary society, based on justice and equality:

"Divine authority was the fundamental principle of the Islamic society or commonwealth which the Messenger of Islam ﷺ established on the principle of perfect equality and justice. This commonwealth which was founded on divine authority was free from the evils and misgovernances which are commonly found in this republic which has been founded on the authority of the people. The outstanding feature of this nation was its religious and ideological units, not the unity of races and tribes, this was what united the Arabs before the advent of Islam. This was the first time in the history of the Arabs that the social organization was not based on race but religion. (142)

The well-known western scholar Austin Mure (New Zealand) researched for a very long period of time on the different world religions. In one of his statements, after elucidating the qualities of Islam he acknowledges that the establishment of a world wide brotherhood and practicing the Islamic

teachings and the teachings of its Prophet ﷺ can become a reality.

"Whatever man today, in the twentieth century, wants to do with regard to the establishment of a world wide human brotherhood, has been done by Islam already 1400 years ago. It did not just set the unity of man and human brotherhood as idealistic goals, but attained them. Islam has therefore proven that establishing a universal human brotherhood is far from being an impossible feat.

When Islam invited mankind to establish a worldwide fraternity, it announced at the same time the removal of some of the obstacles which divided mankind since thousands of years. To turn this theory of an international human fraternity into reality it is incumbent on us to follow its rules, in case we opt for any other way we are bound to never reach the destination." (143)

The Greatest Benefactor of Mankind, leader of Arabs and non-Arabs, our Chief and the Chief of the whole creation, Sayyidina Muhammad Mustafa ﷺ has been opposing racial prejudices in a practical way, like many other problems, too. He finished all discriminatory suppositions. Any one who accepted the unity of Islam has already been granted equal legal, religious and moral rights during the days of the Holy Prophet ﷺ. This model was employed throughout centuries of Islamic splendour, and even today when Muslims are degenerating we can witness brotherhood, togetherness and equality like in no other religion. From the Holy Ka'abah to the Holy Prophet's ﷺ Mosque to the prayer mats in Muslim houses, their table clothes and their graveyards there exists no distinction between Arab, non-Arab, Indian, Ethiopian, King, destitute, rich and poor. The Holy Prophet's ﷺ court itself was a bouquet of flowers from all over the world. There were Adas Ninwai ﷺ, Sohaib Roomi ﷺ, Zul Kala'a Humairy ﷺ, Abu Sufian Umaywi ﷺ, Kurz Fehri ﷺ, Bilal Habshi ﷺ, Dhammad Azdi ﷺ, Adi Tai ﷺ, Abu Zarr Ghifari, Abu Haris Mustalqi ﷺ, Salman Farsi ﷺ, Tufail Dawsy ﷺ, Shamama Najdi ﷺ, Abu Amir Ash'ari ﷺ, Suraqah Mudalji ﷺ, all sitting side by side, each of them representing his country

and his people.

According to Dr. Moude Royden the first real real republic, which the human mind can imagine, was the one, which was called out by the religion of Muhammad ﷺ. (144)

How well did Allamah Syed Sulaiman Nadvi express himself while acknowledging this fact in his "Khutbat-e-Madaris" under the topic "Jamiat":

"In the lecture-circle of Muhammad ﷺ you could learn everything. The name, background, results of education and training of each student is recorded in the pages of Islamic history. Go further; even today the lecture circles of the heirs of Prophethood and of missionaries can claim to be open for all people from all countries, all races and all clans. It can easily be claimed that they abound in generalisation, congregation and internationality. Each and every individual of the human race, each son of Adam, each resident of this earth was admitted and invited to participate.

Formerly the Children of Israil were the centre of reformation also the prophets which were formerly sent to the Arabs were confining their teachings just to their respective nations. They did not go abroad. The academy of Jesus was not open for everyone; it was only for the Jews. He was only sent to the lost sheep of the children of Israil (Matthew 7,42)

He did not like to throw the bread of the children before her dogs, (i.e. did not want to waste the education which was destined for the children of Israil on the Gentiles.) The missionaries of Hindustan could not even think of leaving the pure Arya warat. Although Buddhism was, just like Christianity, also spread abroad, but the missionary work was in both religions done by foreign preachers only. In the biography of the founder of Buddhism there is found no reference or sample of its universality and generality. Now let's have a look at the lecture circle of this unlettered

instructor who were his students? There were Abu Bakr ﷺ, 'Umar ﷺ, 'Uthman ﷺ, Talha ﷺ, Zubair and others who were all Quraish, residents of Makkah. There were Abu Zarr and Anees who came from Tuhama and belonged to the tribe of Ghifar. There were Abu Huraira and Tufail bin Amir who came from Yaman and belonged to the tribe of Daws. There were Abu Musa Ash'ari and Muaz bin Jabal who also came from yamanite tribes. There were Khabbab bin Atarih who belonged to the tribe of Tamim, Muaz bin Habban and Munzir bin Aiz who belonged to the tribe of Abdul Qais. People came from Bahrain, from Oman came Ubaid and Ja'fer. There were there people coming from the burders of Syria, people coming from the borders of Syria, there were negroes like Biial the Ethiopian, there was one Roman Sohaib and one Persian, Salman Farsi" (145)

The Allamah continues:

"In the sixth year after Hijra the Messenger of Islam ﷺ sent letters to kings and rulers of several countries, calling them to Islam and conveying the Divine message to them.

Dihya Kalbi was dispatched to Hercules, emperor of Rome Abdullah bin Khadao Sahami was sent to Khusro parwez, the Persian emperor. Hatib bin Abu Balta'ah was sent to the Muqawqas Aziz of Egypt. Amru bin Amia was sent to the Negus of Ethiopia, Shujaa bin Wahb al Asadi was sent to the leaders of Syria, Haris Ghassabi and Suleet bin Amru were dispatereed to the chieftains of Yamamah, all of them took along letters of the Holy Prophet ﷺ, calling them to paticipate in the lecture-circle of Muhammad (ﷺ), in which admission was not given on basis of colour, country, race, looks, language or dialect, rather it was open for people of all races, colours, languages of the world. One one side of Muhammad the Apostle of Allah ﷺ were Ashama, Negus of Ethiopia, Fawah chief of Maan, Ubaid and Jafer, chiefs from of Oman, Amr bin Shahr chief of the tribe of Hamdan, Feroz Dilmi and Markbood, chief from Yaman and on the other side were slaves like Bilal, Yasir, Subaib, Khasab, Ammar, and Fakin. There were slave girls like Samia, Labeena, Zinnira, Nahdia and Umm Ubais.

Have a closer look, rich and poor, ruler and subject master and slave all are standing in one row.

در جہاں آئین نو آغاز کرد مسند اقوام پیش در نور
از کلید دین در دنیا کشاد بہجو اوبطن ام گیتی نژاد
در نگاہ او یکے بالا و پست با غلام خویش بر یک خواں نشست
امتیازات نسب را پاک سوخت آتش او ایں خس و خاشاک سوخت

Wherever the Holy Prophet ﷺ arrived he brought changes, he abrogated the laws of the former nations. He opened a new door for the world with the key of religion. Never again did earth give birth to a son like him. In his sight highborn and lowborn were all equal. He dined with his slaves at the same tablecloth. He finished all discrimination based on race and ancestry. The heat generated by him burnt up all the timber of discrimination and bias. The Romanian write and biographe of the Holy Prophet ﷺ G.V. George writes:

“The revolution which Sayyidina Muhammad ﷺ wanted to bring about was directed against all the traditions of and bring about was directed against all the traditions and customs of the Arabs, against the extraordinary influence of the Arab tribal chiefs and against the lining up of one tribe against the other. Keeping all those facts in mind one comes to the conclusion that this revolution was far bigger than the French revolution. The latter was not even able to bring about equality between the French, but the revolution brought by Sayyidina Muhammad ﷺ established equality between the Muslims. Discrimination on basis of ancestry, class and economical background were finished once for all”.(148)

THE COMPREHENSIVENESS OF THE GREATEST BENEFACITOR OF MANKIND'S ۞ CONCEPT OF EQUALITY, ITS PREEMINENCE AND OUTCOMES

The Greatest Benefactor of Mankind ۞, Leader of Arabs and non-Arabs, Sayyidina Muhammad ۞ fulfilled the obligations that came along with his being the "Mercy for the Worlds" by gifting the Islamic concept of the dignity of man to the whole human race.

The appearance of Islam occurred at a time when nothing was as base and mean as man. Human existence had become completely worthless and meaningless. Pet animals, sacred beasts, some renerated trees and man made beliefs and superstitions and considered much dearer, much more worthy of preservation and veneration than a human being. For their sake the lives of humans were taken, blood of human beings was spilled as an oblation. Ever in some of today 's developed countries one can find examples of this.

The Greatest Benefactor of Mankind ۞ implanted in the hearts and minds of people that a human being is the dearest, most venerable, most loveable and most deserving of protection in the whole creation. The status of man was raised so high that only the creator stands above. The Holy Quran says that man is God's vice regent on earth and that all that is on earth has been created for him: "He is it who created all that is on earth for you." (2,29)

"And indeed We have honoured the Children of Adam and We have carried on land and sea and have provided them with lawful good things and have preferred them above many of those whom We have created with a marked preference". (17.70)

What else can be said to acknowledge the exalted position of man when it has been said that humankind is the family of God and that the most beloved in the sight of God is he who is best to his family and gives them comfort.

"None of you is a true believe till he loves for humans what he loves for himself. Until he does not do so he will not be loved by Allah the Most High."(149)

The theory and concept of equality which was presented by the Greatest Benefactor of Mankind ﷺ is not the outcome of any circumstances or the social needs of the time or of any friction the ruler or the ruled.

Rather it is a universal message of liberty, fraternity and equality which turns over all the false discriminations on basis of colour, race and nation, declaring the the whole mankind to be one brotherhood and one family, bestowing whole mankind the rights of freedom and brotherhood and trying them with the bonds of brotherly affection.

The first out standing feature of this concept is that it is not the result of any fanciful philosophy or any reformer's brainchild, rather it is a teaching coming from the Creator of the Heavens and the earth. The second notable point is that Islam did not content itself with only hinting ambiguously at the teachings of equality and brotherhood, but also established eternal and unalterable fundamentals of this teaching. As a result of this people raided the man-made walls of discrimination to the ground and all attempts to create mischief on earth were thus finished along with their roots.

The third remarkable thing is that the teachings of the Messenger of Islam ﷺ were not just an embellishment on books and papers, rather Islam actually formed a world wide brotherhood based on these principles and set an end to all those false discriminations on basis of colour and race, for all time to come.

A world wide brotherhood was formed made the supevision of the Greatest Benefactor of mankind, some 1400 years ago on the Arabian peninsula. Till today one can be witness to that human brotherhood in each and every corner of the world, without exception. (149)

CHAPTER-5**KHUTBAH HUJJATUL WIDA AND THE
HISTORICAL ANNOUNCEMENT
OF THE RIGHTS OF WOMEN**

“People! Your wives have got rights over you and you have got rights over them. No doubt they are dependant on you. They are not able to manage affairs on their own. And no doubt Allah gave them to you as a trust. And they have become your legal spouses by the decree of Allah. So fear Allah with regard to women and treat them leniently.”(1)

**IMPORTANCE OF THE HISTORICAL
ANNOUNCEMENT OF WOMEN’S RIGHTS**

To fully understand the importance of this historical announcement of women’s rights it is necessary to study the status of women during the age of ignorance. Along with their condition in pre-Islamic Arabia we shall also analyse the status of women in other religions and great civilizations.

**THE STATUS OF WOMEN DURING THE
AGE OF IGNORANCE**

The status of women in pagan Arabia shall be examined first of all. Before the auspicious advent of Islam women were given no importance at all. They were looked down upon with hatred and disgust. They were considered to be nothing but an instrument to gratify man’s sensual desires. The birth of a girl was thought to be an embarrassing and disgraceful event. In the Quran this fact is expressed thus:

“And when the news (of the birth) of a female child is brought to any of them, his face becomes dark and he is filled with inward grief.

He hides himself from the people because of the evil of that where-of he has been informed. Shall he keep her with dishonour or bury her in the

earth? Certainly evil is their decision.” (16,58,59)

The pagan Arabs preferred boys over girls because (in case of a war boys could fight and defend themselves and others, whereas girls were dependent on their brothers and could not even protect themselves, not to talk about being of any help in defending the tribe. Therefore girls were, during a war, a very great burden for men.

The pagan Arabs thought that man and only man has got a right on inheritance because it is he who rides on horses, picks up arms and fights in battles, whereas women do not accomplish any of the above works so they cannot claim a share in the inheritance. (2)

The French historian G. Lebon depicts in his book “Tamaddan-e-Arab” the status of women during the days of ignorance thus: “During the days of ignorance women were considered to be creatures between humans and animals. Their only reason of existence is to procreate and to serve man. The birth of a girl was taken to mean an evil twist of fate and the custom of burying girls alive was wide spread. Burying girls alive was considered as rightful as drowning the litter of a dog.”

The French Scholar Mr. Cousan De Percois quotes a dialogue between Qais of the tribe of Tamim and the Holy Prophet ﷺ from which the negative feelings which the Arabs had for girls becomes quite obvious.

“Once the Holy Prophet ﷺ had a girl seated on his thigh, feeding her.

Qais asked: “Which animal’s young one are you feeding? By God! I had many girls like this and I buried them all alive without ever feeding any of them.”

The Messenger of Allah ﷺ replied:

‘O foolish man! Seems that Allah did not create even an atom’s weight of human love in your heart. Know well, this love is a tremendous boon which Allah gave to humans and of which you are deprived.’(3)

KILLING OF DAUGHTER DURING THE DAYS OF JAHILIYYA (HISTORICAL STUDY)

جو ہوتی تھی پیدا کسی گھر میں دختر تو خوفِ شہادت سے بے رحم مادر
 پھرے دیکھتی جب شوہر کے تیور کہیں زندہ گاڑ آتی تھی اس کو جا کر
 وہ گود ایسے نفرت سے کرتی تھی خالی
 جنے سانپ جیسے کوئی جننے والی

(4)

From the history of pagan Arabia it is known that the gruesome custom of burying girls alive started with the rulers of Banu Asad. The upper classes of Banu Tameem, Banu Rabia adopted this evil custom soon. It remained not limited to the rich only, but also penetrated the lower classes soon.

Hafiz ibn Hajr Asqalani (rh) states in Fathul Bari that the first (5) person to bury his daughter alive was Qais bin Asim. After accepting Islam he presented himself before the Holy Prophet ﷺ and admitted to have buried 12 or 13 daughters of his alive.(6)

Allamah Aloosi (rh) states in "Bulooghul Arab" the reason for Qais bin Asim's starting this evil custom and his hatred for girls thus:

"Once some men were dispatched to Banu Tameem because of the tribe's failure to pay its taxes. Those men captured women and children. One delegate of Banu Tameem presented himself before Nu'man bin al Munzir (rh) the ruler at that time. Nu'man decided that the women shall have option whether they want to stay with their captors return to their families. Women reacted differently. Among them was also the daughter of Qais bin Asim. She preferred staying with her captor over returning home to her husband. When Qais got to know about this he resolved that any girls born to him shall be buried alive. Thus he buried more than 10 girls."(7)

In the Holy Qur'an girls buried alive are referred to as "Al-Maw'udah".

Allamah Aloosi expounds this term thus: **وَأَدَّ الْمَوْءُودَةَ يَدَهَا** "Wa ad al Maw'uda ta yada ha" means to bury girl alive. Al-Maw'udah (المؤودة) is the buried girl. The one who buries her is called waeid (واند) and the one buried is called waeed (ونيد), waeeda (ونيدة) and Maw'udah (مؤودة).

The word Maw'udah is derived from the word "wad" which means 'a burden'. Thus Mau'udah means a girls burdened with the weight of earth so that she dies." (8)

Imam Darimi (rh) states in the beginning of Sunan-e-Darimi how bad girls were treated during the days of ignorance. He mentions one incident to the effect:

"One person presented himself before the Holy Prophet ﷺ and said: 'Oh messenger of Allah ﷺ we were drowned in the darkness of ignorance. We worshipped idols and killed our children. I myself had a daughter, whenever I called her she would come very happily. Once I took her to a nearby well, took her by her hand and lowered her into it. The last thing I heard her say was "Oh my dear father, Oh my dear father!" Hearing this caused the Messenger of Allah to cry so much that tears continued rolling down his blessed cheeks. Someone who was also present reproached that person saying "You grieved the Holy Prophet ﷺ". Rasoolullah ﷺ stopped him and said, "No doubt he is asking about what is grieving him."

Then he said: Repeat what you told me." When the person repeated his story, the Messenger of Allah ﷺ again cried so much that his Mubarak beard got wet. Then he said: "No doubt, Allah has forgiven the bad deeds of the days of ignorance and granted you a new beginning". (9)

DIFFERENT VIEWS HELD BY PAGAN ARABS ABOUT KILLING THEIR DAUGHTERS

Pagan Arabs held different views about burying their daughters alive. Some tribes buried them due to their excessive sense of honour. They were afraid that their females might disgrace them. Banu Tameem, Kandah and others held this views.(10)

The incident which caused Qais bin Asim to bury more than 10 of his daughters has already been mentioned above.

There are some similar traditions connected with Banu Rabiah. From narrations of this kind one can conclude that this despicable cruel custom was a means to protect the honour of a tribe and to prevent such incidents in the future.(10)

Some Arabs buried only those girls with blue eyes, a swartish complexion, white marks on the body or which were lame. These faults were then considered to be a sign of a accursedness.(10)

Some Arabs killed their children, especially girls due to want and poverty. People doing so belonged in general to those tribes whose overall financial condition was not good. (11)

Islam finished first of all this gruesome practice. In the Holy Qur'an is stated in straight words:

"No doubt, to kill them is an evil deed". (17,31)

In sura Takweer has been said:

"And when the girl which was buried alive shall be asked for which crime she was killed". (81,8)

A RAY OF HOPE - THE LIGHT OF HUMANITY PERMEATES THE NIGHT OF DREAD AND TERROR

The evil custom of burying girls alive was widespread in the pagan Arabian society. However in this very society there were some tender hearted, philanthropic men who saved girls from sure death by paying ransom to their parents. One of those who thus saved the lives of many girls is especially mentioned. His name was Zaid bin Umar bin Nufail. Whenever he got to know that someone intended to kill his daughter, he would say to him: 'Do not kill her. I shall provide for her. "Then he took he along. When the girl was grown up he would ask her father if we wants to have her back. If not, then he would continue to feed her.

The second name worth mentioning is that of Sa'sah bin Najiah, who saved about 300 girls by paying ransom to their parents. (11) (Mostly however those girls belonged to destitute and poverty-stricken tribes, thus they were saved by paying ransom.)

THE STATUS OF WOMEN IN ANCIENT CIVILIZATIONS WOMAN IN THE GREEKE CIVILIZATION

The Greece civilization is consider as one of the world's outstanding civilizations. In its initial stages women were not only deprived of their legal, moral, social and economical rights, but also of their freedom. They were imprisoned in houses far away from any paths and roads. These houses had very few windows only and at the doors guardians were seated.

In Greece the father was the head of the family, religiously and legally. He had the right to sell his daughters. Brothers had the right to sell their sisters. Only male children could inherit after the death of the father, woman had no share in the inheritance what so ever.

In the civilization which is considered to have been the most accomplished and refined civilization of the old world, wives were treated like household furniture which can be bought, sold and inherited.

They were considered to be something bad. The citizens of Athens could marry as many women as they liked. Demosthenes prided himself that in his nation there were three classes of women,(12) two of which were wives and one of which were mistresses.

The ancient Greek thinker Aristotle, whose thought had the greatest impact on philosophy in Europe, criticized the Spartians because of treating their women well. Spartan women had the right of inheritance, divorce, freedom and enjoyed a respectable position in Sparta.

Aristotle declared this very kindness to women to be the reason for Sparta's decline. (13)

Plato, the teacher of Socrates says:

"There is no greater source of tribulation and mischief in the world than woman. She is like a "daflee" tree which is beautiful to look at, but if a bird tastes from it, it dies." (14)

Socrates said in one of his speeches:

"Whatever problem I gave a thought, I could understand its intricacies very well, but till today I

am not able to understand the nature of women I do not know what potentials women have to spread mischief. If there were no women in this world, then this world would be an abode of peace. But alas! The ill fated women destroyed all the peace in the world. When we attach ourselves to women or they attach themselves to us, then our peace of heart and mind is gone. We drown in an ocean of worries, have to go through all kinds of distress, cannot serve our country and our people with full contentment because we are never spared from facing women's tribulations. Her magic has made our hearts restless. As long as we are not trapped in the snares of women we can live in peace and tranquillity. We can breathe the pleasant airs of freedom and can act according to our desires and the decisions of our government. But when women work their magic then it is over with our comfort and pleasures. We get restless and lose our composure. We suffer many losses in exchange for few benefits. Then after bearing so much troubles, women do not show any signs of faithfulness, they do not take care of our emotions, they are always eager to destroy our souls. If they are beautiful then they do so with the dagger of their physical charms. Their cunningness and deception have led thousand plain-souls into perdition. No one can overcome her immense powers. The minds of some she soothes with her poisoned dagger, others she kills with it. Also those whom they make the centre of their kindness cannot attain perpetual comfort. Their chastity is not long lasting. I want to say that there is no greater source of tribulation and mischief than women. If the theory of change and alteration in the world of results is true, then I can say that all merciless men will be made to live as women in the world of results.

Along with these thoughts, I instruct my students to try as much as possible to remain safe from the magic of women and their wickedness. Do not

respect their feelings lest they by successful in their cunning schemes.” (15)

The status of an average chaste, married woman was incredibly low. She lived like a slave. In her childhood she served her parents, in her youth she served her husband and as a widow she had to serve her sons. (16)

The Greek poet Hesiod declared women to be embodied evil. He says: “Zeus gave the world evil in the shape of women”. In the Encyclopedia Britannica we find: (17)

“The status of a women in Greece was as low as that of a slave-girl raising children. Women were imprisoned in their houses, they were deprived of education, their husbands thought of them in terms of domestic assets”.(18)

Under Solon's (a famous law giver) law any action done under the influence of a women had no legal value. (19)

WOMAN IN THE BABYLONIAN CIVILIZATION

After studying the history of Babylon one comes to the conclusion that women there did not enjoy any special status or respect, either. Similar is the case with the Assyrians and Sabarians Girls could not inherit their father's state. 3000 B.C., in the legal code of Hammurabi (20) women had the status of pet animals. Their value can be understood from the following illustration, if anyone killed a girl then he had to hand over one of his own girls to the heirs of the killed girls. The heirs would then kill this girl in retaliation or make her a slave-girl. Mostly however she was killed.

Mr. John wrote a book on the subject how much women prospered from the days of the old Babylon till the noted legal code. The Egyptian Ustadh Saleem Uqad translated this work and entitled it “Markazul maraat fi qanooni Hammurabi wafi qanoonil mausoomiyyi”. This translation was published in 1927. The book is divided into 3 chapters, in the first chapter life in the old Babylon is depicted, in the second is dealt with the era of Hammurabi. In the first chapter is mentioned that 9500 B.C. in the old Babylon women lived in concealment. A father had the right to sell his daughters at the time of need. Herodotes writes:

"Babylonians would take their grown-up daughters once a year to a certain place with many spectators. One government official would call them one by one, make them stand in front of him and invite bids for them. Then they were sold to the highest bidder. (21)

WOMAN IN THE ROMAN CIVILIZATION

In the ancient Roman Empire, women were deprived of all kinds of religious, legal, social and ethical rights. By law she was imprisoned in the depths of utter disgrace. The head of the family was either the father or the husband. The author of "Moral History of Europe" states that the husband had at any time the right to banish his wife from home without having to justify his action. Women were not considered eligible for any position. Her testimony was considered worthless. In the olden days women were considered so mean and worthless creatures that people were embarrassed to simply hear their names. Some cases are known in which women were not even considered to be human beings. They were deemed fit to be treated just like animals. Do those facts not bring tears into one's eyes? Romans literally shut the mouths of their womenfolk with a special kind of lock. (22)

THE STATUS OF WOMEN IN THE OLD ANGLO-SAXON SOCIETY

Nowadays England is considered to be a centre of culture and civilization. The British pride themselves to be standard bearers of women's liberation.

Back in the year 571 C.E. England was a centre of ignorance and oppression. The status of women was almost nil. Weak or ill looking girls were in general killed. One historian writes that in the middle of the sixth century C.E. the English women were counted among menial servants and they were thought to be an ugly stain on the vest of society. The duty of women consisted of serving their husbands, their superiors and their priests.

Most of the clerics held that Jesus was crucified only because Eve had tasted the forbidden fruit. This notion overpowered their minds to such an extent that they could not think of women but in the terms of poisonous scorpions and instruments of the devil to destroy the immortal souls

of men. The sixth century sage Tomas Harding says that women resemble a terrible dragon, combating it is not easy. Even if we remain thinking for ten years we will not be able to come up with such cunning devices as women can in an instant. Women are magic of the accursed devil and to save oneself from its effects is almost beyond human capability. She is such a food which is pleasant to taste but absolutely indigestible, she is such a flower which is pleasant to look at but which has countless thorns.(23)

Dr. Springer writes in his history that in the past women were considered to be incredibly low creatures, all over England. There was no sort of respect for women at all. This is not written to badname England, it is just intended to state the facts. Stonehearted men like Alexander have inflicted horrendous punishments on women which colour the pages of Europe's history blood-red. In the days of Queen Elizabeth 1 and king James 1 thousands of women were burnt alive at the stake or killed in mysterious ways. One can be fully convinced that Britain will never be able to hide that dark part of her history. Further one should understand that the freedom enjoyed nowadays by women in Europe and America is not the outcome of religious considerations or reforming spirit, rather it is a shameless show of following the base desires of men's animal soul. So far the Christian clergy and the practicing Christians still do not treat women well, since in the Christian legislature women are not considered. (24)

THE STATUS OF WOMEN IN OLD RUSSIA

The famous historian B.S. Kish writes in his "Book on Marriage" the following:

As far as I have studied the ancient history of mankind, I can safely state that in the year 611 C.E in Russia the state of women was a sorry one. Not only philosophers and sages thought them to be worthless, but the whole religious world treated them as such. Antony, for instance, wrote that nothing has spread as much mischief as women did. Women are enemies of peace and security they are deception in person. It is better to befriend a snake or a scorpion than to befriend a woman. Just like all the chieftains of the world cannot be good,

similarly all women cannot be good either. There are some good and some bad members of each kind. After a lot of observation it can be safely claimed, that 99 out of 100 women are a source of tribulation, the reason for this is that a woman's nature is made up of 99 evils and one virtue. They are like fire, to save oneself from its flames is impossible. People say that men are intelligent and women are not, but this statement is not acceptable, rather the opposite is true. Till the end of his life a man is not able to come up with such cunning devices which are present in a woman from the very beginning. If she wants to she can cause the flames of mischief to leap up and devour everything. Instead of working for peace and tranquility, she spreads mischief and evil.

Chrysostom writes:

"Women are despiseable creatures. If a man becomes enamoured with her outer beauty, then his contentment is gone for good, he remains deprived of the bliss to serve his country and his people. I hardly ever witnessed a woman respecting uprightness. They are selfish creatures, to trust them means to deceive one's conscience. We cannot expect goodness from them, they are the daughters of evil. Respecting them means to call destruction and ruin upon oneself. Someone who is foolish enough to do so will be disgraced at last".(25)

WOMEN IN THE MESOPOTAMIAN SOCIETY

Mesopotamia was that region which forms now the southern half of Iraq. Its culture is several thousand years old and it witnessed the rise and fall of the Sumerians, Akavians, Babylonians and Ashoorians, in quick succession.

In the Hammurabi code dating back 1725 years B.C. a man was given a period of three years to consider whether he wants to live with that woman or not. In the Asheri code of law (1200 B.C.) the husband was allowed to beat his wife as hard as he deemed right or to pierce her ears or twist her limbs. (26) The same law also permitted the husband to pull her hair, cut her ears or distort her without any need to justify his action. (27)

THE STATUS OF WOMEN IN OLD EGYPT

The celebrated Egyptian research-scholar and philosopher Ustad Iqad writes in his book "Al marratu fil Quran" the following after enlisting some of the rights, duties and options of a woman in old Egypt:

"Before the advent of Islam the Egyptian Empire and its laws were in a state of complete disintegration. This was the time when people in the middle east, after becoming tired of the Roman way of life with all its lust for power, grandeur and enjoyment, started to prefer death over life. Women were accused of being the source of all sins and vices. To stay away from them except when it came to absolute necessities was considered to be the best a man can do. The after effects of these medieval trends of thought were that till the 15th century C.E. the scholars of Lahout were seriously disputing about the nature of women. Under discussion was whether she is a body with or without a soul that could get salvation. The prevailing view was that she does not possess a soul which would be absolved and that there is no woman besides the Holy Virgin Maria to be excepted from this. (28)

The pharaohs and other eminent figures of the state used to marry their sisters in order to inherit them.

Occasionally they took even their own daughters into wedlock. Ramses the second did marry several of his own daughters, and soon afterwards the custom of marrying one's sisters and daughters became quite common.

Every year during the flood-season one or two girls were adorned as brides and then drowned in the Nile so that the gods might be benevolent. (29)

WOMEN IN THE OLD PERSIAN EMPIRE

Studying the history of Persia discloses that the standing of a woman in society was nearly nil. In the oldest Persian civilizations her condition was as a matter of fact, so bad that there nothing to match it before or afterwards.

They were considered to be the slaves of men. In the

5th century B.C. Yazgird II married his daughter and got her killed afterwards. (30)

Acc to prof. Arthur Kersten this kind of relationship was not thought to be bad, rather it was taken as an act of worship and a source of reward.

The famous Chinese traveler Huan sian says that no relation was considered to be forbidden with regard to marriage.(31)

Wives could be of two kinds: zan padshaiha and zan chagdoriha.

The former kind and her offspring were entitled to receive a share of the property, whereas the latter kind had no such rights.(32)

From the legal point of view, a woman could not be owner of anything, neither did she have any rights or social standing. (33)

From the legal point of view woman and slaves had the same status.(34)

In the beginning of the 5th century C.E. Mazdake revolted against the prevailing system. He announced the equality of men, that they are all born in the same way and that therefore everyone has got a certain right on the possessions and belongings of the other. Wealth and women are two such things which are well-guarded by the people, therefore everyone has got a share in the women of a community. That means any man has got a right on any woman he fancies, regardless of her being a consanguine relative or an already married woman. Thus women were turned into a generally available commodity, always available, like water, fire and fodder.(35)

According to Tabari this announcement had such a forceful effect, that men started breaking into any house they liked and seized whatever wealth and women were available. (36) In spite of Iran having been considered as a civilized country for more than thousand years, women were not granted rights nor were they treated with respect.

Allamah Jafar Majlisi writes in his Tarikh:

We do agree that Iran was a great civilization, even during the Days of Ignorance, but if we have a thorough

look at its history to find out how the social life was like then and what was the status of women, if we study history, then we come to the same conclusion to which so far all historians have come, namely that life was miserable. Even in this great civilization women were burdened beyond what any human being could bear, they were rightless, considered worthless by all and sundry, we simply cannot imagine what their plight must have been.

Ibn Ziyad Kalbi writes that in the year 571 the Persians were fully immersed in the curse of fire-worship, girls were considered to be a thing of shame, they kept themselves engaged in unnatural acts which had become their favourite pastime, they had deprived women of all rights and thought them to be more despiseable than animals. When the father died, the mother could be inherited by her children. Some people thought that God did a great wrong to mankind when he created women: One poet says:

"I am angry with God, because He created women who are the enemies of peace and security and who confuse our minds. If there were no women in this world then there would be no mischief, no respectlessness no despair and we would lead a peaceful life. But women destroyed our contentment, they let loose a storm in our hearts and almost killed us with the double-edged sword of their faithlessness. If God would give us any option with regard to our fate, then we would not let any woman live for even the blink of an eye. (37)

WOMAN IN THE INDIAN SOCIETY

The status of women in Hinduism has never been high. Throughout the ages the birth of a girl has been mentioned with disgust, in the religious books like the Yajurved and the Utharwed, so much that the faithlessness of women, their fickle disposition and her cunningness have become proverbial.

In the Sok Sap Tati is written:

"Characteristics of women are fraudulence, deceiving taking oaths, to overreact, lies, apologies, artificial smiles, pretending sadness and pain, pretending happiness, carelessness and lack of

sympathy, asking stupid questions and inability to distinguish between virtue and vice”.

In the Neeti Ashok the following advice is given:

“Women are inconsistent as the waves of the sea. Their love and friendship are as impermanent as their threats, comparable to the sun disappearing below the horizon. They like to be with such men who own lots of money, then they literally start to suck him empty, in the end they let him fall.”(38)

Prostitution in the name of religion was very popular in India and some other contemporary nations. In the temples and pagodas there were hundreds of temple girls to fulfil the sexual desire of priests and visitors. The priests made the people believe that whoever presented his daughter to the gods would go to heaven.(39)

How Hindus perceived women has been stated in the Encyclopedia of Religion and Ethics as follows:

“Women can never be free, they can never get a share in the inheritance, after their husbands death she is supposed to spend her life serving her oldest son.” (40)

When the husband of a woman died she had only two choices: either to spend a life full of sorrow and disgrace, getting her head shaved, eating stale food only in the morning, wearing old tattered clothes and be considered as cursed by the people to such a degree that even her shadow was thought to be ill-omened. Or she could get herself burnt alive on her husband's funeral-pyre, thus dying the honourable death of a “Sati”. It seems quite obvious that many women preferred death over the shameful life as a widow lying ahead of her.

About the gruesome custom of “Sati” Turner has stated the following:

“Brahmins found it intolerable to waste even a single cow's hair, but they would mercilessly toss a breathing living human being into the flames of the pyre. Brahmins conditioned women to opt for the death of “Sati” because after her death all her left jewelry and other belongings would become theirs. It even happened that young widows were burnt

against their will. They were tied with ropes to prevent them from jumping off the burning stake. If a woman somehow managed to escape then she was expelled from her caste and had to live with copplers and sweeper. (41)

SATI — A CRUEL CUSTOM IN THE NAME OF RELIGION

“Sati” means purified. Any woman who got herself cremated along with her husband’s dead body was thought to be very noble, pure and chaste. (42)

The compiler of a Hindi-Urdu dictionary, Raja Rajisoo Rao Asghar defined “Sati” thus:

“Truthful, perfect, sincere, good, virtuous, faithful, steadfast female, guarding her honour.

Sati is a woman sacrificing herself for truth and goodness, i.e. a woman who opts to perish in the flames along with her husband’s dead body.” (43)

According to the Arthwed the custom of Sati is very old, where as the Rajwed only hints at that much that during the vedic era a widow was expected to lie down for a moment on her husband’s funeral pyre before it was set a flame. (44)

“Sati” was given great importance in Hinduism, this is what Herodotus mentions, who based his conclusion on reports from the Scythes and Thracians.

Thracian widows took it as a matter of pride to give up their lives in their husbands graves, that means to get themselves buried alive along with him. This and similar ceremonies were performed throughout the ancient world. The thought behind them was that one or two of the king’s wives and some of his servants would be of service to him also in the next world. (45)

In the old China whenever an emperor died, his favourite concubines were buried alive along with him, so that they could please him with their beauty also in the next world. (46)

As a matter of fact this custom is very old. (47)

Dr. A.S. Alteker, a famous Hindu research-scholar states in his book “The Position of Women in Hindu

Civilization" that many ancient civilizations held the belief that life after death is similar to this worldly life, therefore all the things which the deceased needed in this life will be of use for him also in the next life. It was a sacred religious and moral duty of the heirs to fulfil all his needs for the coming life, i.e. provide him with all those things he needed and cherished before his demise. Especially in the highest classes, that of the kings and rulers it was anticipated that they would need their wives, their servants, and conveyances for a pleasant life in the next world. Therefore it was unavoidable to either burn or bury all those things along with the dead.

This was the basic belief leading to the custom of "Sati" i.e. burning of the widow alive on the stake of her husband. (48) The origins of this date back very far in the history of India, although it is assumed that it reached its zenith during the days of the British Raj. (49)

It is believed that this custom started to evolve with the arrival of the Aryans in India. (50)

Some Greek historians claim that the custom of Sati and the diffusion of the philosophy behind it started during the Kathas period in Punjab. (51)

In the fourth century B.C. this philosophy became popular, (52) in the 7th. Century B.C. this custom become more and more accepted among the masses and many arguments were furnished in its favour. All efforts to spread "Sati" bore fruit quite soon. It was believed that the most important pillar of Hinduism was "Sati". Further it was believed that a woman who gave up her life and became a "Sati" would be a means to save her husband from hell and then she and her husband would live in paradise for 350 milion years. (53)

The cry of "Sati" echoes throughout the Mahabharat, in the epic of Mahbaharat the following rule is mentioned, that a faithful chaste woman, instead of staying alive after her husband's death proudly gives herself into the custody of the flames. (54)

Dr.G. Lebon holds that the custom of Sati dates back farther than the Christian era, because some Greek writers mentioned it approximately 300 B.C. (55) Strabo opines

that "Sati" was practiced till the arrival of Alexander the Great. In the Kethori tribe it was made compulsory on women to get themselves burnt as a "Sati" in order to prevent them from poisoning their husbands. That means women were burnt even while their husbands were still alive. (56)

Brahmins gave this custom a religious tinge by claiming that if a woman opts to become a "Sati" her wedlock will be valid for all eternity, once wedded to a man she would be his forever, also in the coming lives they would be together. (57)

"Sati" evolved along with socio-political changes. There have been proofs of women being burnt along with their husbands already in the vedic era, but till that time to be a "Sati" was thought to have only symbolical value. It became customary only towards the end of the vedic period because till then the remarriage of a widow was considered proper as well. With the beginning of the Gupt era "Sati" became popular among the members of high society, and soon afterwards it penetrated also the lower strata due to the common people's habit of imitating the nobles and the rich. (58)

The first memorial of Sati dates back to the year 510 C.E. and it is found in Aran, Madhya Pradesh.

The background of Sati is that throughout her life she slowly erases every trace of her individuality and personality till she becomes totally the property of her husband, therefore, after his death it is not permissible for her to remain alive. (59)

Women became Sati either on the same stake as their husbands or on separate stakes, both ways were common according to the circumstances. If the dead body of the husband was prepared for cremation, then she was burnt along with him. This was called "Sahamaraṇa" i.e. to die together. But occasionally the husband passed away far from his wife, or due to other exceptional circumstances like pregnancy of the wife, it was not possible to burn them together, so she was burnt separately along with any such item that had a connection with her husband, that was a souvenir of her husband. This way of cremation was called

"Anu maran" i.e. to die separately. These methods are also known as "Sahagana" i.e. "To go together" and "Anu gana" i.e. "to go separately." If someone had more than one wife, then the first wife had the honour of being burnt on the same stake as her husband and the other wives were burnt separately. occasionally it also happened that wives forgot all their differences they had during their husband's lifetime and they made arrangements for being burnt together. (60)

Abul Fadl has mentioned in *Ain-e-Akbari* the following types of Sati.

- 1: Such a woman who is so deeply grieved by her husband's death that she falls unconscious and therefore here relations burn her along with him.
- 2: Such women who endlessly loved their husbands and at his death got themselves willingly and happily cremated along with him.
- 3: Such women who burnt themselves only because of its being a generally accepted ritual.
- 4: Such women who were forced by the relatives of the husband to burn themselves. (61)

The eloquence and convincing power of the Brahmin were extremely conducive to the evolving of the "Sati" rite and its becoming firmly grounded in religion. For the Brahmin it was an extraordinary suitable occasion to tell the bereaved widow that this worldly life has to end in any case, that this worldly life is nothing but deception and that a better life, real life, lies ahead. The Brahmin convinced her that once she got herself burnt along with her husband she would become his wife forever, that she would receive immeasurable wealth, dresses and ornaments, as much as her heart desires and all kinds of honour, in short that she would experience endless happiness. Thus a widow was made to believe that the day she becomes a Sati is the most blessed and auspicious day of her life, even more than the day she got married, because then she will truly and eternally be her husband's companion. And if she would refuse to accept this honour then her restless elements would be included forever in the world of impure spirits. So there was practically no other choice for a widow than to

become a Sati.(62)

In the 7th. century this rite became more and more popular among the people. Arguments were given in its favour and soon people started to believe that Sati is an essential rite of Hinduism.

In other words if Hinduism has given any firm teaching then it is that of "Sati" and that a woman thus can become a means of deliverance for her husband and that the couple may, because of their good deeds (i.e. the wife's becoming "Sati"), live in paradise for 350 million years, one more legend goes like this that just like a cobra comes out from her basket when she hears the flute of the snake-charmer, likewise the husband comes out from hell when his wife becomes a "Sati" and then the two may live in paradise for 350 million years.(62)

Dr. G. Lebon writes:

"The blissful life which a widow was to expect in the upper world along with her husband was so much more inviting than the prospect of spending a life full of pain and disgrace in this world. So it is not amazing that a poor Hindu woman was contended to give her life with such happiness and sincerity. When she stepped out for her last trip she was surrounded by a gathering of people who bless her, wish her all the best, cheer her up and encourage her." (64)

Further he writes:

"Religious beliefs which have since centuries become deeply rooted in the nature of ignorant people and those calamities which every widow has to face because of the customs of the country are the actual causes of "Sati". Only religion can cause people to give up their lives willingly. Not only Hindu women rather followers of any religion, at any given time, would only due to the strength of their faith leap into a blazing fire in the hope that beyond the flames the doors of paradise are flung 'open for them'. (65)

The general public enjoyed the spectacle that the custom of "Sati" brought along with it. Many people would

request a widow who had resolved to become a Sati to deliver all kinds of messages to the residents of the other world. (66)

Whereas some political principles also were responsible for the development of the "Sati" rite.

The pitiable state of a widow in Hinduism was also greatly responsible for so many women opting to become a Sati after their husband's death. There are many evidences to prove that a widow who did not want to become a Sati had to lead an extremely difficult and disgraceful life. So the widow thought it better to entrust herself to the flames; further the honour of the family was at stake if she would not become a Sati.

Public opinion and religious beliefs were successfully imprinting the following on the mind of people, that a Sati is the most superior kind of woman and a sheer endlessly praiseworthy quality. If any widow refused to become a Sati, then this was taken as a proof for her lack of chastity and faithfulness also. (67)

G. Lebon writes with reference to Mr. Mulla Bari,

"The death of a Hindu is for his widow such a disaster which increases day by day, she cannot dare to raise her head anymore till her last breath. A widow is not counted among the humans anymore, her very sight is considered a source of bad luck and whatever she touches is thought to be impure. This life of disgrace and shame is considered a burden, she has no one who would make his thoughts impure by thinking of her or live this miserable lonely life with her". (68)

Sometimes social pressure is exercised on such women "Nicola County" has reported instances in which a woman has been forced to return her dowry in case she does not want to become a "Sati". That means she had to leave her children and the whole amount of dower was consigned to the relatives of her deceased husband. (69)

Due to the reasons given above it is not amazing why the custom of "Sati" gained such popularity.

From the 7th till the 11th century A.C. the custom of "Sati" had become popular in Northern India and Kashmir

as well and this disgusting rite was practiced in the households of the Kashmiri rulers with greatest fervour.(70)

Dr. G. Lebon writes while describing the causes for "Sati":

"Now it becomes easily comprehensible how endlessly much a Hindu woman must be loving her husband and how willing she must be to sacrifice herself for him. And because of this custom having been practiced for many centuries, the spirit of self-sacrifice has become a part of woman's nature. These are the reason on which the rite of "Sati" has been based, and continues to be based and because of this custom women are forced to get themselves cremated along with their husbands." (71)

To describe how the poor widow is being burnt along with the dead body of her husband is extremely painful, it can hardly be imagined. All the way she walks along with his bier and in the end she is cremated together with it. The procedure of cremation could be a very long one, so she needed to have lots of resolution and firm will. Ibn Batuta has described two kinds of incidents in his travelogue: He was eye-witness, to three widows becoming "Sati" after their husbands had died abroad in a battle:

"When the three widows resolved to become Sati, they engaged (one day before their cremation) in singing songs and dining because they were about to leave this world. From all over women came to meet them and on the fourth day a horse was sent to each widow. They were dressed up decorated and perfumed and finally they were made to mount the ride. In the right hand of each widow was a coconut which they kept tossing and in their left hand was a looking-glass in which they admired themselves. Relatives and Brahmins had gathered around them. Every Hindu requested them to give greetings to his dead parents, brothers or friends. They said "yes" and kept on laughing. I also went along with my friends to watch the cremation ceremony. We walked about three miles till we reached a place which had water in abundance and which was overshadowed by many trees. In the middle were four small domes and on each dome there was placed an idol. In

the middle of the domes was a pool of water. Because of the trees overshadowing the pool no sunlight fell on the water. The whole place was steeped in darkness and resembled a part from Hell. When the women reached the domes they stepped into the pool of water and took a bath. Near the pool was an enclosure, they took off their dresses and jewelry and donned a thick sari instead. At one place near the pool fire was kindled and when rapeseed oil was poured on it the flames leapt up high. Some sixteen men held bundles of wood in their hands and ten other men had big wooden logs with them. The drummers and trumpet players stood around, waiting for the widows.

The fire was screened with some blankets

So that the women could not see it. One woman snatched the blanket forcefully away from the people saying, "I know well that there is fire, why do you want to scare me?" Then she leapt towards the fire, entrusting herself to the flames. At this time the drums and trumpets started to play and the people threw many logs and pieces of wood into the flames thus heaping up great amounts of fuel on the woman so that she could not move. The mob made lots of noise. I could not bear the sight of this and lost conscience."(72)

Lady Amerest witnessed one cremation ceremony in October 1825. She writes in her diary:

"One Hindu youth had died from cholera and his widow resolved to be burnt on his stake along with him, to become a "Sati". All the necessary preparations were made and the license was obtained from the magistrate. The nearest of the deceased had set the stake on fire, but when the flames reached the widow her resolution broke, her courage left her and somehow amidst clouds of smoke, the cries of the people and the deafening noise of the drums she managed to escape from the stake. Keeping herself away from the sight of the people she covered the small distance to the near forest. At first no one thought that she might have escaped but when the smoke had thinned a bit the people could see quite well that she was not on the stake. They lost control and started running

towards the forest to search the ill fated girl. They dragged her out of the forest, to the shores of the nearby river. Then they put her in a canoe and brought her in the middle of the stream.

There they threw her into the water. Poor thing, once she went down she never came up again." (73)

Turner wrote about the cruel custom of "Sati":

"Brahmins found it intolerable to waste even a single cow's hair, but they would mercilessly toss a breathing living human being into the flames of the pyre.

Brahmins conditioned women to opt for the death of "Sati" because after her death all her left jewelry and other belongings would become theirs. It even happened that young widows were burnt against their will. They were tied with ropes to prevent them from jumping off the burning state. If a woman somehow managed to escape then she was expelled from her caste and had to live with copplers and sweepers."(74)

Ibn Batuta states that the Sultans of Delhi had made a law according to which any widow living in the Sultanate must not be burnt unless a licence was edited. Obviously this law was made to prevent women to be burnt forcefully or by pressurizing them till they give in to become a Sati.

During the reign of Mughal emperor Humayun all kinds of restrictions were made with regard to "Sati". Any woman who had passed child bearing age could not become a "Sati", even if she voluntarily and happily wanted to become one. These were during steps to bring about positive changes in society. Neither the Hindu divines nor the public were strongly opposed to these sanctions and neither has there been any demonstration against it, but the king was not a man of firm will, so he was convinced by some people that to interfere in the religions affairs of other and to put sanctions on a sacred rite leads to Divine wrath, that his reign will come to an end and that this interference might even result in his death. After such reasoning the emperor abrogated his former decrees. Anyway general instructions continued to be followed,

whenever a widow was burnt an officer of the sultanate was present so that the people would not force the widow to become a Sati against her will. It has been said that the Emperor Akbar himself intervened and saved some women from being burnt. (75)

Dr. Barneer writes in his travelogue:

"The number of "Sati" is these days comparatively lower, because of the Muslim rulers who are striving most hard to abolish this beastish and gruesome custom. Yet there is no legal injunction to forbid it, because they do not think it appropriate to interfere in the affairs of Hindus, rather they grant them full freedom in their religious practices. The interference of Muslims in the rite of "Sati" is done in more subtle ways. No woman can become a "Sati" without prior permission of the provincial governor, who in turn simply refuses his permission. This is done so long till absolute conviction is attained that the woman's resolve is unshakeable. The Governor involves the widow in many arguments with regard to her intent, makes her promises and so on. If in spite of all those efforts the widow does remain firm, then she might be sent to the governor's palace to have a talk with the women residing there so that they might change her mind.

Still after all those attempts the number of "Sati" continues to remain very high, especially in those areas where Rajas rule and no Muslim Governors are present." (76)

According to Dr. A.S. Alteker the protection of the rite of "Sati" from the 13th till the 18th century is proven, therefore it is impossible to give any reliable statistics about the number of "Sati" throughout this era. In the Rajput Hindu society 10 percent of widows opted to become Sati, whereas in whole India one out of 1000 women became Sati. These rates are proven, their actual number might be higher. Also there is evidence that there were no efforts to finish this despicable custom, neither on governmental nor on public level till Rabiul awwal (acc.to Islamic calendar) in the beginning of the 19th century.

In Bombay and Madras the number of Sati was alone 50

per year and in Poona 12 per annum. This are govt. statistics. (77)

Acc. to the statistics published by the British govt. the greatest number of "Sati" was found in Bengal. Below are given some figures:

NUMBER OF SATI FROM 1815 TILL 1828

Name of division	Total of Sati
Calcutta division	5099
Patna division	709
Bareilli division	193
Banares division	1165

NUMBER OF SATI IN DIFFERENT REGIONS OF BENGAL FROM 1815 - 1828

Year	Total of Sati
1815	378
1816	442
1817	707
1818	839
1819	650
1820	598
1821	654
1822	583
1823	575
1824	572
1825	639
1826	518
1827	517
1828	463

From the table above one can conclude that the rite of "Sati" was spread the most among the Hindus of Bengal. Even the strictest laws and most effective steps could not set an end to it.(78)

In the table above are also the "Sati" of U.P., Bihar,

Orissa and Assam included. Whereas the number of Sati in Mumbai and Madras is only half of that in Bangal. (79)

After long continuous efforts from the Muslims and in spite of strong counter-efforts from the Hindus, on 4.12.1829 Lord William Bating finally declared the custom of "Sati" (i.e burning or burying the widow alive, or any other mode of "Sati") to be illegal, and that offenders of this new law were made liable to punishment in a military court. (80) First practical steps against "Sati" were taken in the state of Jaipur. (81)

G. Lebon writes that women were the main opponents to the newly sanctioned prohibition of "Sati". For quite a while widows would sacrifice their lives secretly. (82)

He also writes that in spite of strenuous efforts this custom could not be suspended in Nepal, due to the strong opposition of women. (83)

After the prohibition of "Sati" was implemented, in spite of strong protest from influential Hindu divines and women themselves, can one say that there has come about any difference in the status of women in Hinduism, has the state of a Hindu-widow been raised, was she granted any rights or has there been any kind of betterment for her?

G. Lebon writes:

"It can hardly be said that women benefitted from this prohibition, because as we have explained already, the state of a widow in Hinduism is a really pitiable one." (84)

With the death of her husband she had only two choices either to spend a life full of sorrow and disgrace, getting her head shaved, eating stale food only in the morning wearing old tattered clothes and being considered as cursed by the people to such a degree that even her shadow was thought to be ill-omened. Or she could get herself burnt alive on her husband's funeral pyre, thus dying the honourable death of a "Sati". It seems quite obvious that many women preferred death over the shameful life of a widow lying ahead of her.

G. Lebon writes with reference to Mr. Mulla Bari,

"The death of a Hindu is for his widow such a

disaster which increases day by day. She cannot dare to raise her head any more till her last breath. A widow is not counted among the humans any more. Her very sight is considered a source of bad luck and whatever she touches is thought to be impure. This life of disgrace and shame is considered a burden, she had no one who would make his thoughts impure by thinking of her or to live this miserable lonely life with her". (85)

The Indian historian Rama Shankartarpathi writes in his book "The History of Ancient India" about the status of women and shudra:

"The status of women was always low. She could neither inherit her fathers property nor own anything herself. If she happened to earn some money that same money became her husband's or her father's property. The birth of a girl was considered very inauspicious."(86)

During the Brahmanic period there was a proverb that a girl brings calamities with her and a boy is light from the seventh heaven.(87)

At the time of cultivating the fields the South Indian. tribes of Gond and Marya would tie young girls to a pole, then the men would drive their daggers into the girl's body, one by one. The blood of the girls thus sacrificed was then sprinkled over the fields. (88)

For further information about the status of women in Hindu civilization please consult:

Dr. A.S. Alteker:

The Position of Women in Hindu Civilization

The historical, social and religious aspects of "Sati" are dealt with in the same book on the pages 114-39.

THE STATUS OF WOMEN IN THE ANCIENT CHINESE CIVILIZATION

In China women were as deprived of honour and respect as everywhere else in the world.

In the year 593 C.E. Chinese scholars and sages held the opinion that a woman is infinitely base and worthless as compared to a man. Treating her respectfully is against

man's dignity. Her heart is full of cunning devices, deceit, suspicion, enmity, selfishness. She is like a fruit which seems to be sweet but which tastes extremely bitter. (90)

Asim bin Shariq writes in his travelogue:

"When I traveled to China I got to know from some scholars that in the year 592 C.E. the following rite constituted a part of the wedding ceremony, the father of the bride would, after the vow leash her with a silken whip. Then he would hand this whip over to the groom so that he would also beat her. Further the father of the bride would deliver a speech in which he said that influenced by mercy and generosity he raised that girl and fulfilled the duty of getting her married, and that he is obliged to tell that inexperienced traveller (i.e. the groom) that women are personified deceit and mischief, one should always be aware of their cunningness. Their talk full of love and affections cannot be trusted; she will always try to appear innocent simple and plain. Truth however is that the creature called woman is deceit and fraud in person. She is the source of all mischief. It is quite possible that for years together she stays on the right path, but it is not possible that she fights her nature, so it will not be surprising if one day she makes use of her devices which are no doubt enough to ruin a man." (91)

Ibn Shariq further states that like Muslims are necessarily reciting the Khutbah of Nikah, likewise the Chinese then considered the recitation of the above speech as essential. (92)

From this it becomes quite clear how vile women were considered in the 6th century C.E.

Whenever a Chinese Emperor would die his concubines were buried alive along with him so that they could please him also in the next world with their beauty. Parents had the right to sell their children, usually the father would sell his daughters and disobedient sons to be slaves. (93)

A Chinese husband had the right to bury his wife alive. (94)

A.

WOMAN AND RELIGION INSPIRED RELIGIONS

THE RIGHTS OF WOMEN IN JUDAISM

How could Jews who were in their dire history famous for their moral decline and greed have possibly meted out fair treatment to women, when women could not provide them any material gain instead they were a financial burden for them.

That is why they thought that daughters are not only less worth than sons, but even less worth than servants and menials.

In Judaism the responsibility for Sayyidina Adam's sin, the eating of the forbidden fruit and all the consequences related therewith are given to Sayyidah Hawa. Jews made women the fountainhead of all sins and faults. They consider (God forbid) Eva to be Satan's instrument, that she alone is guilty of Adam's slip and that because of her Adam has been deprived of an eternal life in paradise.

Tirtulion once addressed women as follows:

"Do you not know that all of you are the daughters of Eve and that therefore God's judgment regarding you is also valid today. Your sin also continues to remain. You are the door for Satan, you were the ones eating from the forbidden fruit, you were the first ones to disobey the Lord, and to discard the divine commandment so easily".

In the sight of Jews woman is a conveyance of the Devil. They are scorpions always eager to sting. These are their reflections on women, which had become a part of their faith. In their religious gatherings they would consider whether women have got the same right to worship God as men have, will she also have a share in Paradise and in the Heavenly Kingdom? Does she also possess an immortal soul like men do? Questions like these continued to be asked and greatly influenced their religious beliefs. As a result of all their considerations

they came to the conclusion that women are no human beings, rather they are a kind of animal in human shape, meant to serve men. To laugh with her, talk to her and to have any kind of social inter action with her should be avoided because she is a door for the devil. (95)

In the Jewish Encyclopedia is stated that since the very first act of disobedience was due to the wife's rebellious attitude she is for all times to come to be kept subservient to her husband who is her master and her owner. (96)

WOMEN'S RIGHTS IN CHRISTIANITY

The theory that due to a woman Sayyidina Adam was expelled from paradise takes the place of an article of faith in Christianity. In Christianity women are seen with contempt because she is responsible for Sayyidina Adam's transfer to earth from his heavenly abode. The incident of Sayyidina Adam's sin is depicted thus in the Bible, that the Devil tempted her and that she in turn tempted her husband to partake from the forbidden fruit.(97)

For this reason women are taken to be the root of all evil and sins, she is the cause of every misfortune, she is the door for the Devil and the highway to Hell, women are the origin of all bad things in this world, because of them the world had become an accursed place. (98)

Tirtulion, a well-known divine during the early days of Christianity says the following about women:

"She is Devil's door. She was the one to stretch out her hand to the forbidden fruit, she broke the Divine law, she provoked man against God, and she is the one who ruined man."(99)

Chrysostem, another Christian scholar says:

"Woman is a never ending evil, an evil inspiration from her very birth on, a pleasant catastrophe, a danger to every household, a means of ruin, a way of ill fate."(100)

VERDICTS OF DIFFERENT CHRISTIAN DIVINES ABOUT WOMEN

The famous Roman monk Qadees Jurna said in one of his speeches:

“Women are enemies of peace, they are like scorpions always ready to sting. No matter how much you love her she will never leave her evil ways. It is possible that your admonishing and advising her has a positive influence on her for a while, but that moment is bound to come when her strongheadedness will cause you much grief. It is also possible that then she will ruin you forever, just think what had happened to your father Adam, so much goodness he was enjoying, in so much celestial bliss he lived!

But a woman deprived him of all those heavenly bounties, forcing him to live a life full of pain. This incident is not an invention of us, this is what God Himself has told us so that we may remain safe from the wickedness of women. We all are believing firmly that women are such a kind of magic with which the devil tries to occupy our minds and tries to destroy our strength to do good.

If we call women spies of the devil then that would be not incorrect.

We claim with full faith that only because of women the devil could get a stronghold in this world, misguiding people. If there were no women then this world would be an abode of peace and its inhabitants would experience never-ending joy.” (101)

“Youhana” has made one statement to the effect that “women are far more dangerous than all wild animals of this world. I make this statement after lots of observations. Men die after fighting a lion, after being bitten by a snake or after being stung by a scorpion, but their number is little as compared to those who were destroyed because of women and their deceit. If we hate lions, snakes and scorpions then we ought to hate women even more because they are far more dangerous and

cause far more harm”.

Utterances like these lead to the declaration that the status of women is lower than the status of slaves. This was declared in the year 571, in the spiritual centre of Christianity, i.e. Rome. Women were treated like animals. It was believed that giving a comfortable living to women means to oppress mankind. Whenever a woman committed an offence most grievous punishments were meted out to her and in general she was disgraced for any mistake. This was because all the clerics, divines and philosophers were of the same opinion that women are the root of all evils and mischief. (102)

In the later stages of Christianity even the legal relation between man and woman (i.e. marriage) was considered not recommendable and evil. Abstaining from woman and living a life of celibacy was heavily stressed. Some Christian saints abstained so much from women that they fled even from their own mothers (taking shelter in a lonely forest) only because their mothers were women. (103)

UTTERANCES OF GREAT CHRISTIAN DIVINES ABOUT WOMEN

- St. Bernard:** Woman is the weapon of the Devil.
- St. Anthoney:** Women is a mine of the Devils arm.
- St. Bonaventer:** Women is a scorpion, always ready to sting. She is the Devil's spear.
- St. Cireen:** Woman is that weapon which the devil uses to take possession of our souls.
- St. Gerome:** Woman is the door of the devil and the sting of a scorpion.
- St. John of Damascus:** Woman is the daughter of dishonesty, she is a soldier of hell and an enemy of peace. Man has lost heaven because of her and of all wild animals she is the most dangerous.
- St. Gregory:** A woman possesses the poison of a snake and the malice of a dragon. (104)

In one convention of Christian clerics in the year 582 C.E. under the superintendence of Makoooh was decided

that a woman does not possess a soul which could attain salvation, rather that she does not have a soul at all.(105)

B.

NON-INSPIRED RELIGIONS WOMEN'S RIGHTS IN HINDUISM

The well renowned Arab research-scholar Abbas Mahmood Uqad writes the following about the status of women in Hindu civilization:

“In India, according to the law of Manu, (106), a woman had no future and no rights after the death of her father and her husband, in case she opted to live apart from her son”.

Throughout her childhood she has to remain subordinate to her father, during adulthood to her husband and after her husband's demise she has to spend her remaining life subservient to her sons. If she has no sons then she is at the mercy of her nearest relatives. Under no circumstances she has the right to spend her life according to her own will. She has in no case the right of self-determination. Worse than depriving her of her social rights was that after the death of her husband she was expected to sacrifice her life at the stake of her deceased husband by becoming “Sati”.

One Hindu saying goes thus that fate, storm, death, poison, venomous snakes are not as evil as women are evil.(107)

Let's have a look at how the Encyclopedia of Religion and Ethics describes the status of women in Hinduism:

“A woman can never be free, cannot inherit property, after her husband's death she has to spend her life subservient to her eldest son”. (108)

Chankia Brahmin who purified the legal code of Manu Maharaj, the Manusmriti from superfluous and unauthentic additions writes about women the following:

“Telling lies, acting without thinking, deceit stupidity, greed, impurity, hardheartedness, these are the flaws of women”.

Bhagat Ram's opinion about the status of women is quoted below:

"Just like a tree can be recognized by its fruits similarly a civilization can be recognized by its customs and rites. The rights of men in Hinduism have been preserved" with uttermost diligence but unfortunately this is not true for women's rights. It is even more pitiable that in the older days of Hinduism a woman was considered to be property or she was taken to be such a creature which has hardly any standing at all against men from points of intellect and morals. Therefore caste Hindus have ever since emphasized the duties of women and not her rights. As a result of this a woman has no share in Hindu society. From a woman's birth till her death, during all events in her life, all difficulties and troubles even during everyday affairs like eating, drinking, walking, sleeping, bathing, shopping, ... She depends on the mercy of man and he has been made her god." (109)

A woman cannot be loved; their hearts are like hornet nests. "Andor" (110) himself has said that a woman's heart is void of constancy. From point of intellect she is an extremely light thing."(111)

Women and Shudra have no right of property (112)

A girl has no share in the inheritance of her father (113)

A wife cannot be granted the right to manage her affairs from her husband. (114)

If any widow happens to get something out of the property of her dead husband, then she has no right to sell it. (115) If there are no male children even then a daughter cannot inherit, rather an adopted son is made heir.(116)

SOCIAL AND LEGAL STANDING

She cannot opt for divorce, no matter how cruel, oppressive or terminally ill her husband might be, she must not ask for seperation.(117)

She cannot remarry because someone's property must not be taken by someone else.(118)

Woman has only been created to give birth to children,

to bring them up and to remain busy in domestic chores.(119)

No girl young or old should do her house work according to her likes, rather as a girl she has to obey her father and during adulthood she has to obey her husband or her sons. If she decides to leave her family (i.e her husbands her sons) then she brings a bad name to her and her spouse's family.(120)

For further information about the legal situation of women in Hinduism please refer to: "Arthshaster Aachar Kotilia Chankia" translated and published by Muhammad Ismael Zabeeh, Texas printers Karachi, 99.

RELIGIOUS STANDING

A woman is not allowed to receive religious education. (121)

There are different ways of attaining salvation for men and women. Women can do so only by serving her husband. As a matter of fact she cannot be delivered by divine service. (122)

Women and Shudras are means of sin (123)

Even if the husband has no praiseworthy trait or virtue at all, even then a woman should serve him like a god. A wife who does not fulfil her duties to her husband will be disgraced after her death and will be reborn in the stomach of a jackal, because of the graveness of her sin she will be tried with all kinds of illnesses. (124)

For further details pl. refer to "Indian civilization" by Gustave Lebon. The worthlessness of women is described in the Manusmanti thus:

"Telling lies is the special feature of women's nature".(125)

The mind of a woman does not remain in a stable condition, therefore her testimony is not acceptable. (126)

There is no  for worship or fast for women, to serve her husband is her religious obligation. (127)

(128)

Food cooked by a menstruating woman or her leftovers are not to be eaten. (129)

Neither sacrifice nor fast are permissible to be performed by women, simply obeying her husband is enough for her. After his death she must not marry again, she has to remain a widow for her whole life and has to contend herself with little food only.(130)

Chankia Brahmin who purified the Manusmanti from superfluous and unauthentic additions and whose doctrine was for sometime the government's legal code has stated in his "Strengthening the Character".

"The ocean, a horned animal, a king and a woman cannot be trusted".

These seven faults are unseperable parts of women's character:

Lies, deceit, faithlessness, greed, impurity, mercilessness and to act without thinking.

From scholars one should lean sweet talk, from gamblers one should learn lies and from women one should learn immorality.

Fire, water, snakes and women are causes for destruction Marry a woman of a noble family regardless how ugly she is. Trampling upon a beautiful girl from a common family is without any consequences. (131)

WOMAN'S RIGHTS IN JAINISM*

What status woman have in Jainism can be learnt from the "Jainshaster" in which women have been tremendously degraded.

Mahabeer Swami says that women are the root of all evil. Men only commit sins because of women. Woman is the biggest of all temptations which can befall a human being. It is necessary for a man to abstain from looking at her, talk to her, do any work for her. Keep aloof from them, have nothing to do with them.

Jains are thinking so lowly of women that they even doubt whether she can attain ever salvation, rather they

* Jainism is one of India's famous religious. It dates back to the 6th century C.E. it was limited to India eversince. In Gujarat are some Jaini temples, Gujarat is known as the religious centre of Jainism.

For more information pl.refer to chaudhery Ghulam Rasool M.A. "Mazahib-e-Alam ka taqabali Mutaliah".

believe that she can never attain salvation at all.

Dr. Mrs. Stiosan states:

"As long as she is not born as a man due to her good deeds".(132)

WOMEN'S RIGHTS IN BUDDHISM

Buddhism developed after Hinduism and it spread from India over Sri Lanka, Burma, China, Japan, and so on.

After studying the history and philosophy of Buddhism one is prone to believe that woman never had any standing in this religion. As a matter of fact she was looked down upon with hatred and disdain. One example of this disdainful attitude can be taken from the "Encyclopedia of Religion and Ethics". The thinker Chulla Wagga has been quoted as saying:

"Just like the behaviour of a fish in his element remains incomprehensible, so does the nature of a woman, like a thief she has many cunning devices at her disposal and truth is a thing foreign to her".(133)

According to the teachings and creed of Buddhism women are an obstacle in the performance of religious duties. To attain salvation requires abstinence from women, they are a big hurdle in attaining salvation. Such considerations overshadow the teachings of Gautama Buddha. He advises his followers:

"If you want to attain salvation then cut off relations with your women".

Gautama Buddha himself acted upon the advice given by him and left his beloved daughter, opting for an ascetic life in the mountains. Buddhism suggests monasticism as the best means to attain salvation. Having contact with women means destruction and males one go astray from the path leading to salvation.

Buddhism is well-known for being a religion based on equality there is no distinction between Brahmin, Shudra, rich and poor, high born and low-born, but even the supporters of Prem Shanti show no mercy when it comes to women.

Mahatma Gautama Buddha says in one "Dyakhyan":

"Do not socialize with women, women are dangerous for men. Even to look at them is against the rules of abstinence. Women are fraud personified, with their deceptions they want to spoil men's faith. Try to save yourselves from them as much as possible".

"On you who are desirous of ascending the skies, I tell you that women are the greatest hurdle in the path of spiritual progress. Whoever befriends them will not attain the ranks of spirituality".

After hearing the teachings of Mahatma Gautama Buddha his followers preached against marriage and promoted monastic lifestyle. This is however against the human nature so it did not succeed. Nowadays followers of Buddhism themselves oppose those teachings.(134)

PROVERBS CONCERNING WOMEN (FROM THE NON-MUSLIM WORLD)

Woman thy second name is faithlessness (Persia)

In ten women is one soul (Russia)

No matter how good or bad a horse is, it needs to be spurned, and a woman no matter how good or bad she is needs to be beaten. (Italy)

Woman thy second name is weakness (Spain)

Of course one should listen to one's wife's talk, but one should under no circumstances believe it.(135) (China)

A whirlwind of uncertainty, a house of notority, a city of boldness a storehouse of sins, a palace of one thousand betrayals, full of magic, a puzzle which could not be solved by the wisest men, this thing called woman, this poison mixed with ambrosia has been created to rid this world of virtue and purity.(136) (India)

WOMAN IN THE MODERN WESTERN WORLD

THE WOMEN'S RIGHTS MOVEMENT AND THEORY OF GENDER EQUALITY ITS ORIGIN AND EVOLUTION

The theory of gender equality originated from Britain. Mary Wollstone Craft, wife of an atheistic philosopher and novel-writer was the first to demand in her book "Vindication of the Rights of Women" (1792) that:

"Women should receive the same treatment as men in education, work opportunities and politics and that the same moral standards should be applied to both sexes".

Further John Stuart Mill and his likes have stated arguments for the equality between men and women. This movement spread very soon all over Europe and America. Gender equality became a progress-favouring slogan in all fields of life, whoever said anything against it was labelled backward and as opponent of progress.(137)

DIFFERENT STAGES OF WOMEN'S RIGHTS MOVEMENT

The efforts of American women to get their rights can be divided in three stages. The first stage can be called "Early Women's Rights Movement" the second has become known as "The Suffrage Movement" which lasted from 1890-1925 C.E. and the third stage is called the "Current Women's Rights Movement" which started in the beginning of this century. In the beginning of the 19th century, married American women started to work in offices and factories, before that they engaged themselves only in household chores.

DECLARATION OF WOMEN'S RIGHTS

American women began to wholeheartedly engage themselves in the movement when in 1848 at Seneca Falls, New York a women's rights convention was held. It was during this convention that the participating women

presented famous "Declaration of Sentiments" which became then the foundation of women's further political activities. The summary of this "Declaration of Sentiments" is given as under:

"The Creator brought forth men and women in the same fashion and both have been endowed by Him with certain basic rights such as safety of life, freedom, pursuit of happiness. Governments have got power through the will of the people, they are set up to preserve the rights of the people. If any government fails to preserve the basic rights of the people then it is sacked by the people, new rulers are then elected whose responsibility is the preservation of justice."

In the present governance women are greatly oppressed, therefore they demand from their government in a legal manner that they are being treated at par with male citizens.

History is witness to the fact that women were always the victims of men's cruelty. Today it is not much different. She had no voice and is not paid any attention in the present republic. She has no right of public representation. All important decisions of governance, drafting laws against women are made by men. For women it is compulsory to abide by those chauvinistic laws. Even uneducated male villagers are granted rights of which women are totally deprived. Every married woman is like buried alive. She has no right to own something so far that even the bit she earns herself is not her own. It belongs to her husband. At the time of solemnizing the marriage a woman is made to swear that she follows all her husband's orders be they permissible or not. In this society a woman has got no legal right whatsoever. Men are fixing the rights of women and it is because of them that women remain deprived of their legal rights.

If any unmarried woman happens to own some estate, then the only interest of the male dominated government is to extract as many taxes from her as possible. Men have monopoly on all good jobs. Women are paid less wages than men. Wealth and Honour seems to be a privilege of men. Today there is not a single female preacher, doctor, or

lawyer. She is banned from taking admission in colleges and she cannot go to any other institution to get education, either. No matter whether it be in the field of religion or others, she is always subjugated and subordinate. There are different moral standards for men and women, in case of any bad trait women are being humiliated for more than men. Like this all the competence of women is being destroyed, she is robbed of her confidence, her sense of honour is deadened and to consider herself as mean and subjugated has become her nature.

We feel that in this country we have been disgraced socially and religiously. We are oppressed and exploited. We are not granted our due rights. Now we demand to be treated like the male American citizens."

At the end of this "Declaration of Sentiments" the delegated women expressed their determination thus:

"We know very well that we have to overcome many hurdles to achieve our goal, but we will not loose. We will use legal means and ways to strive for our object and after this convention we will establish conventions all over the country so that we can demand our rights from the government."(138)

RESULTS OF THE DECLARATION OF WOMEN'S RIGHTS

Like this the oppressed and exploited women of America continued to struggle for their rights and they were successful to quite an extent. Women were granted many political rights, like the right to vote and to be owner of private property. She also became practically involved in politics. In many jobs she got equal remuneration. It was declared unlawful to treat women discriminatory. Similar laws were made applicable for men and women in legal affairs. The different moral standards were finished. Women were given the right to divorce. Due to those improvements women were treated with more respect and honour. In many fields she started to work side by side with men. She developed confidence and started to feel free. But with the passing of time gender equality did not prove to be the solution to women's problems, even today women are frustrated and oppressed. Her new freedom

turned out to be a new form of slavery, many new and complex problems arose for her.

In the charter of the United Nations is written that men and women have got equal rights. But just putting that statement in writing does not solve women's problems, rather it turned out to be an increase in her oppressedness.

Western women shouted the slogan of women's liberation to solve their problems, but along with their liberation came many new problems for them. First they were only serving their husbands, now have not only to serve them but also any company or office. First there was just the burden of managing the household which they thought to be unbearable, now along with that they have earn also their livelihood themselves.

Women started to loose their femininity in this mixed environment so the Norwayian writer Yool Seeman who is also a great supporter of the women's liberation movement advises sincerely the women of her times in the "Review of Reviews" that:

"A woman should stay a woman. Yes, she should be nothing but a woman, that will bring her success and that, characteristic of womanhood will help her to attain an honourable position. That is the law of Nature, that is the guidance of Nature." (139)

WORLD CONFERENCE OF WOMEN'S RIGHTS IN BEIJING 1995

In the Bengali Islamic monthly magazine "Prithvi (Al-Alim) (November 1983) was printed an article by Shaheed Mubeen.

This article was an analytical report about the women's conference to be held at Beijing. Lutfur-Rahman, Research Associate of Da'wah Academy translated the same article for the benefit of Urdu speaking people into Urdu.

The fourth world women conference was held from 4-15 November, in Beijing under the supervision of the United Nations. The main topic of this conference was working out a programme to attain equality, progress and security. Before this conference took place another conference concerning women was held by the NGO's

Forum in a suburb of Beijing to present the problems of women all over the world properly, regional women's conferences have been held in Australia, Indonesia, Jordan and Senegal.

The conference which was held in 1994 in the University of Cairo under the motto of progress and world population also stressed the importance to preserve the freedom of women.

Before the women's conference in Beijing, three others were held, the first in Mexico in 1975, the second in Copenhagen in 1980, the third in Nairobi in 1985, but none of these was such a large-scale event as the one in Beijing. 30,000 delegates from 180 countries participated in it, some 70 crore Chinese yen were spent to organize this conference, the costs of the NGO's forum conference in which some 17,000 people participated are not included. It should be remembered that the suggestions presented by the NGO's forum were of special importance for the Beijing conference. Dhaka was given special attention in this conference since Indian and Bangla Desh have been made focal point of the Conference.

The world women's conferences held so far ended in a state of disorganization, accusations and without any concrete results. The first women's conference ended because of a walkout of the women delegates from the developed countries. The third conference was in danger of being interrupted due to the discriminatory attitude of some women from the developing countries, differentiation on basis of colour and race and protests against Israel illegally controlling occupied Arab territory. That is also the reason why inspite of so many written proposals no country had so far shown the courage to take any practical steps towards achieving the outcome of all these talks. The fourth women's conference suffered to a certain extent like its fore runners. The agenda (or platform for action) which had been established for the women's conference 1995 presents a list of 12 major obstacles on the way towards women's prosperity. These are:

- 1: Poverty
- 2: Education

- 3: Health
- 4: Violence
- 5: Fighting with weapons
- 6: Participation in economic affairs
- 7: Participation in government affairs and police
- 8: Representation in national and international situations
- 9: Human rights
- 10: Media
- 11: Environment and progress
- 12: Problems related with the birth of a girl.

Preparations for the Beijing conference continued for 20 years.

To make it possible the first conference was held in Mexico in 1975. There it was decided that the United Nations would within the next 10 years provide means to establish world wide gender-equality. The next conference was held in Denmark in 1980 and the third was held in Kenia in 1985. The main purpose of these three conferences was declared to be "peace, prosperity and equal rights for men and women".

The 173 pages thick catalogue of demands which was presented to the participants of the conference turned out to be - after closer study-a reproduction of the Cairo conference documents or at least the subject-matter arranged in a different manner.

The inauspicious outcome of the Beijing conference on which some 199 countries had spent great sums of money was yet another attempt to make promiscuity common and thus finish the distinction of humans from animals.

The first impress one gets after going through the papers of the Beijing conference is that the U.N. are like a toy in the hands of the Jewish Lobby which only aims at the attainment of its own peace and prosperity and which tries to destroy the non-Jewish nations, to massacre whole mankind, to ruin its honour for good. How the Jewish conjurors disgraced the western nations in Somalia and Bosnia might perhaps only find an equal in the history of slavery,

The third impression is that the Jews, like always have been doing their work with their notorious cunningness and deceitfulness. (displace words from their right place), contaminating all the documents with their poison and presenting them as life-giving elixir in a beautiful packing.

As a matter of fact a majority of the non-Muslim women are ruined at present, a great part of the Muslim world's women is about to be ruined, but Islam is the preventing force, a force which dark elements of the western world desperately try to remove with threads.

The Beijing papers can rightly be called "Death for the Nations" and how aptly Iqbal had put it:

"If Western civilization means death for the nations then an evil death for man it is indeed".

On page 144 of the catalogue, section 94 it has been said that women should be given full guarantee that they can spend a life side by side with men, with access to all health facilities and all material comforts, even if at times the health of men be badly affected. Under all circumstances the fair sex needs to be protected from poverty, starvation, economical hardships, violence by men and discriminatory treatment. All these social evils affect the sexuality of a woman, her ability to bear children and her health in general.

The second fundamental reason is that men, as compared to women, have more opportunities to enjoy good nutrition and relaxation whereas women are made to marry at a very young age and that they spend their lives in pregnancies and rearing children.

Girls should have the right to enter into sexual relations as soon as they are grown up and to interrupt any undesired pregnancy. There should be sexual education available at educational institutions, further girls should have the right to be treated by their parents and society at large like an honorably married woman and be granted the same rights and protection in case of an unwanted pregnancy, an abortion or the birth of illegitimate children.

The concept of illegitimate children should be abolished, the government and society should be patronizing them completely. Parents, educational

institutions and government institutions should inform youths about ways to protect themselves from AIDS, to inform them about the methods of safe sexual intercourse and give them ample opportunities. On page 57 it has been clearly stated that each individual, man or woman should have the right to freely enjoy illicit sexual relations, without any pressure and restrictions imposed by parents, religion and society. They should have the freedom to decide themselves when and with whom they want to have sexual contact, which pregnancy should be aborted and when they should beget children.

On page 44 it has been stated that for sound mental and physical health it is essential that teenage boys and girls are granted the right to have free sexual relations and to keep them secret from others. As another point fundamental to the achievement of complete gender equality has been stated that just as women get maternity leave, men should have access to the same facility, too.

One Eastern poet stated quite clearly that the wrong understanding of freedom is the reason for the moral ruin of the west.

Those so-called upholders of freedom have called AIDS an evil thing in their documents but instead of advocating complete abstinence from what causes and transmits this fatal disease they rather promote to opt for "safe" ways of indulgence.

According to the WHO the number of people suffering from AIDS worldwide will reach 3.5 millions by the year 1995; since the outbreak of this disease till now some 19.000.000 men and women contracted AIDS and by the end of this century it will be 21.000.000.

Everywhere in those documents promiscuity has been named as the main-cause of the disease, but nowhere has been stated that extra marital affairs are injurious to health and that by satisfying one's urges with one's legal spouse only one can save oneself from that disease.

Thirdly it had been demanded that the government and society should take the responsibility of caring for single women, but a responsible life at the side of a husband who is in charge of his wife has not been considered.

Fourth, giving birth to children has been called injurious to women's health but not abortion.

Fifth, early marriage has been stated as the main cause for all the difficulties a girl has to go through, but the role of religion and moral in granting young girls a chaste and pure life has not been mentioned.

Sixth, all over the world women are exploited, exposed to violence and treated discriminatory. This has been stated for the developing countries in general and for the Muslim countries in special, but the great wrong which is being done to women in the west has not been mentioned.

One strange and absolutely in comprehensive point is that on one hand in the western media, in the political institutions of Europe and America and in the conference of the United Nations protecting of women from violence, extortion and exploitation and vouchsafing them all sexual rights are being advocated and on the other hand the media exploit women with all might and subject them for commercial propaganda.

How the Jews brought western society at the verge of distruction by undermining its fundaments, by making people despise the different roles of men and women and the concept of morality and chastity can be concluded from the following figures:

- ❁ In America, after every 10 minutes one woman is being raped.
- ❁ In America, due to unsuitable domestic environment only 15% of children are entrusted to their parents.
- ❁ In Denmark, Britain. France and America the rate of illegitimate children is 15%.
- ❁ In Germany 1 Krore 20 Lakh individuals live alone. 43% of them are not married the ratio of men and women living together without being married is 72%; i.e. married couples number 2 Krore 30 Lakh, unmarried couples number 1Krore 20 Lakh.
- ❁ Out of 404000 marriages being contracted annually 64% of them end up in divorce, in 1994 the rate has been 59%.
- ❁ In Germany a child spends only half an hour out of 24

hours with his parents, this includes mealtimes. A German mother spends daily one and a half hour on the phone talking to her friends, 5 hours in front of the T.V. or in the cinema or other recreational facilities.

- ❁ A German child watches daily two and a half hours T.V. where he sees 50 scenes of murder or sexual acts.
- ❁ In Germany there are some 2.6 million women bringing up their children without a father.
- ❁ In American government offices approximately 82% of the female employees are exposed to sexual harassment.
- ❁ In America the ratio of working women used to be 4%, Now its has raised up to 25%. women's salary as compared to men's is 44% less.

In France it is 31% less, in Denmark 55% less, in Britain it is 42% less, in Italy it is 35% less and in Germany it is 44% less. As far as women's participation in social and political life is concerned, 99% of the women have to face sexual harassment without which they cannot progress, so say American social workers.

The ratio of women participating in politics in western countries as compared to men is as follows:

Finland 39% Norway 35%, Sweden 33%, Germany 20%, Spain 14%, Portugal 4%, America 6%, France 5%, Britain 5%.

This is the mirror of western society and looking into it has perturbed many sages there. Movements are organized against abortion and promiscuity. Strange is that even Christian priests, under the pressure of the Jews, freely promote mischief and promiscuity, this is because even they are stuck up to their throats in this quagmire.

Islam is the only force trying to save the western world from drowning in this ocean of darkness. This fact must be known to you that the number of women having embraced Islam in Britain and Germany exceeds 20.000. A survey revealed that those western women found their rights best represented, protected and guaranteed in Islam. Now it is

the job of the missionaries living abroad to spread the message of Islam and increase its popularity.(141)

THE OUTCOMES OF THE THEORY OF GENDER-EQUALITY

The idea of gender-equality has rocked the western world for 200 years and turned out to be a failure in every aspect. In spite of being equal before the law women have not attained true equality neither in capitalistic nor communistic republics. Even today the gap between a man's and woman's value in society is very large, both hold different positions. The only difference is that now women are out of their houses, working along with men. She tried to become a man and failed. Even worse, with this futile attempt she lost her femininity and gained nothing in return for it. She wanted to finish the highhandedness and superiority of man and wanted to be his equal, all her efforts were directed towards that. She lodged endless complaints, lamented, rided herself of her chastity, spread immodesty, committed crimes. But in spite of all that she did not taste that greatly cherished fruit of equality. Even today the dominant sex is male.(142)

PRACTICAL OUTCOMES OF GENDER-EQUALITY

The result of all those movements in the name of women's liberation in the west is nothing but a storm of immodesty, nudity and obscenity. Not even fornication and adultery are considered as crimes anymore, in some countries homosexuality and the marriage of homosexuals are under full protection of the law. A concubine a woman of loose morals has got the same rights as has an honourably married woman, illegitimate children are treated like legitimates. The result of this moral deterioration and social ruin are countless perplexions, confusions and mind boggling problems which the west is not able to solve. As a matter of fact the west is on the best way to commit suicide with its own sword.

Some of those greatly perplexing problems which the west has to face are: The end of the family system, increased drug abuse, increased occurrence of rape, teenage-pregnancies, abortions, great number of illegitimate children, increase in venereal disease, high

suicide rates, child abuse, supportlessness in old age, decrease of population violence against women, young people avoiding marriage, adoption of children, AIDS, youth criminality, general disorientation, the craze to change one's sex and so on.

The root cause of all those problems is the theory of gender equality and women's liberation movements. (143)

In the book "Women in the Workplace" some evils of a mixed society are stated:

"Some of the costs of the sex gender system. The poverty of women and children, the double day, high rates of mental illness, (especially depression) among women, women battering and rape".

Further it is stated:

"Our language reinforces the idea that women and men have different abilities, personalities and goals of life".(144)

ACKNOWLEDGEMENT OF FORMER RUSSIAN PRESIDENT GORBACHEW

The former Russian president Gorbachew wrote a book, "Perestroika" which has since long become world famous. In one chapter entitled "The status of women" he wrote in very plain words:

"In our western society women have been brought out from their homes, as a result of this we have no doubt gained some economic benefits and we marked an increase in the G.P. since both men and women are working. But the cost of this higher G.P. has been our family system, a loss which is too great to be outweighed by an increased G.P. Therefore I start in my country a movement which is called "Perestroika". The main purpose of this movement is to bring women back to their homes, but how? We have to think of some ways, otherwise the whole nation will be ruined like our family system has been ruined."(145)

IMPRESSIONS OF WESTERN FEMALE CONVERTS TO ISLAM ABOUT THE LIBERATION MOVEMENT AND WOMEN'S RIGHTS

In the London Times of 9.11.1993 is stated that many of the women converts to Islam chose this religion because they saw that Islam treats women with more respect and more honourable than the west. According to them the only outcome of women's liberation is that now women are double burdened. They have to earn a living and still run the house hold.

“Many Muslims contrast the status of women in Islam with what they see as the dismal plight of women in the West. They note that here women work fulltime out of financial necessity, remaining lumbered with the housework and children. It is a puzzling version of emancipation”.(146)

THE REALITY OF GENDER-EQUALITY

The economic and social council of the United Nations (ECOSOC) has stated that in the last 25 years the participation of women in social activities has exceeded the expectations. In 1975, 35% of the total world labour force were women. The greatest number of female employees is found in Russia, where 82 out of 100 women are entitled to work and registrated. In East Germany 80% of women are working, in Bulgaria 74%, in Hungary 73% and in Poland 63%. After these countries follow Finland, Sweden, Czechoslovakia, Denmark, Japan, Britain, Switzerland, Austria, America and West Germany, where the rate of working women ranges between 49% and 52%. (147)

A summary of an entry in the Encyclopedia Britannica about women in the new society can be make as follows.

“In the economic sphere. Women who work outside the home are heavily concentrated in the lowest paying work and that having the lowest status. Women also earn less than men in the same kinds of jobs. The medium pay of women workers in the U.S. was 60% that of men in 1982. In Japan the

percentage of average pay was 55%. Politically women are greatly under represented in national and local governments and political parties."(148)

A PYRRHIC VICTORY

"I come with very bad news," says Rhoda Lerman, American novelist and a leader of the women's movement. Speaking on the changing role of women in society, she revealed that 77 per cent of the poor in America are women and children.

The reason she offers is the high wage differential between the earnings of men and women. Women earn 62 per cent of what men earn, merely because of the "pink-collared" jobs offered to them. "Equal opportunities and equal pay for equal work are just a myth," she declares. Women, by far have been able to infiltrate only the lower and middle management and are offered innumerable jobs in food chains and the secretarial cadres.

The self proclaimed upholders of women's rights in the West can of course claim that all those facts mentioned above are just fictions and that they have granted women the right to vote and the right to express their opinions in the twentieth century. When and where women have been given the right to vote is mentioned below:

Russia 1917, Yugoslavia 1946, Australia 1902, France 1944, Germany 1914, Italy 1945, Japan 1945, China 1947, Sweden 1919, Canada 1948, Brazil 1932, England 1928 USA 1920, Ireland 1922, Switzerland 1971. (150)

WOMEN IN THE AMERICAN SOCIETY

The well-known American weekly magazine "Time" features in every edition some special report. In its edition of 20.3.1972 it brought a detailed report about the "American woman". This report was prepared with great efforts by 20 women of the institute's large staff. Experts from all fields of life helped to bring out that report. Some excerpts of it are reproduced below.

According to one survey of the department of labour women are less skilled as compared to men and receive less wages.

In many jobs they are not receiving the same payment for the same work. When it comes to selections in a factory the condition of women and Negroes is the same, they are the first to be terminated. The reason for this is absence of stability in marriages and an increasing divorce-rate.

FACTS AND FIGURES

In 1964 London Johnson ordered that more women should be employed in govt offices. In 1967 some facts and figures were published by the federal civil survey which give the ratio of working women.

Only 6% women are employed holding positions in govt offices where the payment is more than 18000 us Dollar annually. President Nixon promised to employ more women in govt. departments, he even opened a branch in the white House for the enrolment of women. But the women in Washington attain only with great difficulties high offices in the government. There was never a female judge in the supreme court, there were only two women in the history of the United states who had the chance to be in the Cabinet, presently there is only one woman in the senate and only eleven in the House of representatives. New York is the only state where a special women's advisory council has been established by the governor; but its condition becomes clear from one statement of its black female president:

"We are nothing but a symbolic agency". (151)

The lady further said that there are 63 different agencies in New York, in only 13 out of these women hold offices higher than that of a secretary. Only a few women are mayor in America, the last female governor was in Alabama, her name was Laurylin Willis. In the institutions of 50 states there are all in all 7000 members, out of these only 320 are women, only a handful out of these have any influence. (152) The ratio of working women in America is 40%, but out of 35000 scientists only 10% are women. Female PhD. degree holders are very few as compared to men, that is the reason why only some women hold eminent ranks in science. In the National Academy of Science, for instance there are more than 800 elected members, only 9 out of them are female. There are 278

Nobel Prize winners; only 6 out of them were women.(153)

Contrary to other branches there is a great number of women busy in the field of journalism, but it should be known that only a few of them hold any important offices. They are either reporters or editors. Most of them work in weeklies or in small daily papers, their salary is in general less. There is no public paper or publishing house whose president is a woman, and that although in 1971 44% of students of journalism were women; as compared to 1951 when they made up only 35%.

The share of lady-editors in American newspapers is 55% but even there is a distinction. In America is great institution the "Associated Press" there are 1050 employees, out of them only 112 are women and only 2 of them are bureau managers. In the "United Press" there are 900 employees, but only 81 of them are women. Only one woman is General News editor. In the New York Times the number of editors, reporters and copy-readers is 626, among them are only 64 women. In the Washington Post there are 70 women in a total staff of 385. That is the state of other great papers. (154)

Ten years ago there were 260.000 doctors in America and only 6% of them were women. Now they make up 7% out of 345.000 doctors. Only 1% of them are surgeons. Surgery is the most profitable field of medicine.

In the public health sector where the income is, as compared to other doctors, just average they make up 26%.

85% of primary school teachers are women but only 21% make it to become principal of a primary school. In high schools there are only 3% female headmasters, and if a woman aspires to become the president of a college, then she is advised to become a nun. In 1970 the share of women in colleges and universities was 20% but only 9% of them were professors. In general women receive less wages than men. 45% of youngsters think that women are brainless companions. They only exist to fulfil the needs of men. One woman said that men have not even learned yet to considered females at par from the intellectual point of view. (155)

On the building of the Supreme Court of America is

written "All are equal under the law", yet there has never been any female judge nor is there any now. Only one of the 9 judges has got one female clerk. In the Federal Appeal court there are 97 judges, only one is a woman. In the Federal District court there are 402 judges, all male except for 4. All over America there are some 10.000 judges, only approximately 200 of them are women. There is no female attorney general. 93-district attorneys are engaged in the federal service, not one of them is a woman. Ratiowise there are enough women in the legal profession. 82% of the women who obtained a degree in law are working in private practices. But less than 12% of female lawyers earn 20.000 US Dollar or more, whereas 50% of the male lawyers do. Out of 325.000 lawyers 9000 are female, that is a bit more than 2%. Till today there has been no female president of the American Bar Association.

When it comes to the implementation of law it seems that it is more implied on women than that they imply it themselves. Women have only the lowest ranking jobs in the police, they make about 1% of the police force.

Gertrud Schimmel is the first woman who became police captain of New York. When she was asked if she has hopes to become police commissioner she replied: "Only when New York gets the first female mayor".(156)

Nowadays the American woman is quite active in the economic field, but according to the federal survey her income is for equal work-only 3 US Dollar per hour, whereas men receive 5US Dollars. If women were to be paid the same wages as men then the wages would be 109 billions Dollars higher. The government is issuing orders to the effect that women are to be paid like men and that they should be treated equally. Further it has been decided that women should not be given a too great load of work, and that they should not be over-burdened.

The San Francisco based firm Levis & co has got some 18.000 employees out of which 85% are women. But once when a study of the company was made it turned out that women are being paid less than men and that the responsible posts are mostly held by men. Out of 572 managers only 9% are women.

Almost all of America's 2 million secretaries are

women, most of them earn less than their male counterparts. In 1972, as a response to several complaints the American State Department did issue an order stating that secretaries should not be taken as servants. Female secretaries have been basically annoyed that they are considered to be an entertainment programme for their male bosses. (157)

This all is deceptive equality. As proved above even to day there is a big difference between the treatment of a man and a woman at the work place with the theory of gender equality remaining nothing but a theory.

In the American printed book "Women at the Work place" has been stated:

"A 1981 labour department study shows that the women were paid considerably less than men in the same occupation. Men averaged 366 dollars a week in sales work, women only 190 dollars". (women in the workplace, p.91) (158)

THE LAMENTABLE STATE OF ASIAN WOMEN

One can get quite a good idea of the lamentable, state of Asian women after studying the following table which gives the rate of literacy, employment opportunities, holding high offices in private and govt institutions and representation in the cabinet of Asian women as compared to men and as compared to the developed countries.

Name of Country	Literacy rate	Average life-expectation	Em - p l o y - m e n t opportunities	Nr. of women holding higher offices	Nr of women in the lawgiving-institutions	Repre-sentation in the Par-liament
Bangladesh	51	55.6	73	5	10	8
Birma	86	59.3	56	X	X	0
Kambodia	X	73.9	79	X	20	8
China	79	70.4	81	13	21	6

H o n g Kong	90	81.8	62	19	5	10
India	55	60.4	34	X	7	3
Indonesia	82	64.5	44	7	12	6
Japan	X	82.5	64	9	7	6
Malaysia	86	73.0	55	X	10	7
Pakistan	97	62.6	14	3	2	4
Philippines	99	68.2	44	38	11	8
Singapore	88	77.4	58	19	4	0
S o u t h Korea	97	74.9	52	4	1	4
Sri Lanka	96	74.6	36	7	5	3
Thailand	95	71.8	77	29	4	0
Vietnam	93	67.3	82	X	18	5
All Asian Ratio	82	69.9	57	X	9	5
Average in the developed countries	93	62.9	55	X	10	5
Average in the industrial nations	X	79.9	61	X	12	8

Note: X Means no data available.

ACKNOWLEDGING FACTS

THE SLOGAN OF GENDER EQUALITY IS WAR WITH NATURE

From 12th till 16th January 1987 a conference took place in New Delhi with participants from 15 countries, including philosophers, scientists authors and artists. This five-day-conference was held under the motto "Towards a New Beginning" and it was sponsored by the Indian government.

Some selected, now aged, western women also participated in that conference. They spent all their life for

the women's liberation movement, but now being old, they have become frustrated. Australian Germaine Greene who also holds a diplomatic passport was interviewed by the Indian Express (19.1.87). She has been described as "mellow" and that the fire that was once raging in the "Female Eunuch" (also the title of one of her books) is now missing. She seems concerned as to whether women's liberation, saying that some problems have been solved, but new problems arose.

Germaine Greene was in her youth so revolutionary minded that she wanted to completely abolish the institution of marriage, but now she has changed. She says "maybe the problem, is that we left our mothers behind, thinking them to be too old fashioned. Now most of us are ourselves mothers of teenage daughters. So we see the problems from a different angle. Maybe we can now understand our mothers better". She says further; "The West has no answers to the problems of inequality between the genders. The erroneous belief of the western women that females in veils are unequal and the ones with make-up and minus head cover are free and liberated has to be rejected.

WHITHER WOMEN'S LIB?

They are feminists of different hues - Ms. Germaine Greene the outspoken, aggressive writer from Australia, and Ms Gisele Halimi, a Tunisian born lawyer who spearheaded the women's movement in France along with Simone de Beauvoir and others. But both voice a concern that is troubling feminists in the West today Whither women's lib? Ms Greene seems more mellow today, the fire that raged in "The Female Eunuch" is strangely missing. "The movement has solved some problems and left us with a different set of problems" exclaimed Ms Greene. Perhaps the problem was that we didn't take our mothers with us. We left them behind, found them antiquated. And now that many of us are mothers ourselves with teenaged daughters, perhaps we understand our mothers better. (1)

The West has no answers to the problems of inequality between sexes, says the internationally acclaimed writer

Germaine Greene. The erroneous belief of the western women that the females in veils are unequal and the ones with make-up minus the head-cover are free and liberated has to be rejected. Referring to the prevalence of wife-beating even in the so-called "civilized" West, she asks, how about the unequal treatment meted out to females in the US and England in the areas of wages and jobs? Well. One fourth of the crimes in England enmates from violence against women. The man-woman relationship understood in the West as an extension of role-models is the primary cause of strain in the sexual relationships. All the western women identify themselves with the 'bahu' - the bride- forgetting that the mother in-law and the sister-in-law are also the specific role-models to be played by females. She says that a child is for a woman a unique investment. 'The joys of motherhood fill the blanks that cannot be satiated in the specific husband-wife role models. 'Known for her non-conformist and non-traditional views, she advocates 'Coitus interrupts' in the area of birth-control. 'The array of occlusive devices, spermicidal creams, uterine pessaries, douches, syringes, abortifacient pills and rubber goods of all shapes and sizes are the ill-effects of a growing consumer-culture. These have achieved nothing but added strain in the sexual relationships.

(The Hindustan Times, January 12, 1987)

Ms Halimi, is more frank. 'It is a bad time for the women's movement,' s'he admitted. It is down at the movement. and we are trying to find the reasons for it. Perhaps we got everything women wanted too fast - contraception, abortion, and divorce. And the problemes that face women today are not strong enough to give the movement new force and strength. 'Women have very specific values and morals. They have a different view of humanity. I am not saying that it is better than that of men but it is different. And women have to prove that they are women, and not, men, she emphasised.

(Indian Express, January 14, 1987)

DIFFERENCES AMONG MEN AND WOMEN IN THE LIGHT OF MODERN SCIENCE

Throughout history women were subordinate to men,

even today in the developed countries of the west the condition is the same. The self-declared flag bearers of women's liberation in the west claim till now that there is no natural division between man and woman, rather social conditioning caused this artificial distinction. Nevertheless the research being done in the present have proved this statement to be wrong.

The American professor Steven Goldberg published a book "The Inevitability of Patriarchy" in which he elucidates that the difference between men and women is not due to social pressure, that there are profound differences among the sexes. Daily Express (London, 9.7.1977) has reviewed the book as follows:

WOMEN ARE BORN SUBORDINATE

It's a rough old world for women, as the feminists never cease to remind us. They blame centuries of social conditioning—a kind of conspiracy whereby men all over the world somehow contrive to keep women in a subordinate role. A much simpler, and more probable explanation is that universal male dominance stems not from social oppression but fundamental differences between the sexes. This is the view put forward by Professor Steven Goldberg of New York in his Book, *The Inevitability of Patriarchy* which has earned him some shrill abuse from feminists in America ("Fascist Pig" and "Male Sadist" are two of the milder epithets), and has upset a few here too, since he arrived to launch the British publication, "The feminists hate me." Goldberg told me cheerfully. "I like to think their intense wrath stems from my inherent rightness. Putting it simply I believe that the universality of male dominance in all societies cannot be explained by social conditioning."

"But it can be explained by the male hormone testosterone which 'programmes' the infant male for a life of greater aggression and dominance while he is still in the womb. "That's why little boys are clearly more aggressive than little girls even before they've had a chance to be socially conditioned, "and in later life this same dominance means that men are far more ready to sacrifice holidays, health and family for the sake of their career." In truth the feminist case is none too strong. If it really were true that male dominance was due to social conditioning rather than

innate male qualities, then surely somewhere in the world at some time a society would have evolved in which women were dominant. None has. And even in societies like those behind the iron curtain which boast of sexual equality, one sex is obviously "more equal" than the other. You can see it in Russia's 62-strong council of ministers. Not one is a woman.

After a lifetime spent researching the diverse societies of the world that expert woman anthropologist Margaret Mead, who is commonly thought to be on the feminist side, has declared:

"All the claims so glibly made about societies ruled by women are nonsense. We have no reason to believe that they ever existed. Men have always been the leaders in public affairs and the final authorities at home."

Does that mean that men are better than women? Professor Goldberg wags warning finger. "Not better but different." The male brain works differently from the female brain. In I.Q. tests with men and women of similar intelligence levels, the men tend to score higher on logical and deductive problems, though the women will generally do better in verbal skills.

"Unquestionably women have greater emotional awareness even before they have children. Little girls are commonly more thoughtful and sensitive to parental moods than little boys."

Professor Goldberg's proposition is quite simple. That they are much less likely to get to the top and all because of testosterone. The masculinization of the brain by this hormone has been demonstrated conclusively by experiments on female rats and other mammals. "And we have now found the same thing with human beings" says Goldberg.

The professor concludes: "The central fact is that men and women are different from each other from the gene to the thought to the act. These differences flow from the biological natures of man and woman."

Women who deny their natures and covet a state of second rate manhood are forever condemned to argue

against their own juices. The experience of men is that there are few women who can out-fight them and few who can out-argue them but when a woman uses feminine many a means she can deal with many a man as an equal. In this and every other society men look to women for gentleness, kindness and love. The basic male motivation is protection of women and children. "The feminist cannot have it both ways: If she wishes to sacrifice all this, all that she will get in return is; the right to meet men on male terms. She will lose." (165)

One more western scholar, Dr. Alexis Carrel writes in his book "Man, the unknown":

WOMAN DIFFERS PROFOUNDLY FROM MAN

The differences existing between man and woman do not come from the particular form of the sexual organs, the presence of the uterus, from gestation, or from the mode of education. They are of a more fundamental nature. They are caused by the very structure of the tissues and by the impregnation -of the entire organism with specific chemical substances secreted by the ovary. Ignorance of these fundamental facts has led promoters of feminism to believe that both sexes should have the same education, the same powers and the same responsibilities. In reality woman differs profoundly from man. Every one of the cells of her body bears the mark of her sex. The same is true of her organs and, above all, of her organs and, above all, of her nervous system. Physiological laws are as inexorable as those of the sidereal world. They cannot be replaced by human wishes. We are obliged to accept them just as they are. Women should develop their aptitudes in accordance with their own nature, without trying to imitate the males. Their part in the progress of civilization is higher than that of man. They should not abandon their specific functions.(166)

The theory of gender equality is one of the theories peculiar to the West. For the last 100 years the West has been experimenting with it, but all those experiments turned out to be a failure. Equality between the sexes could not be achieved in any way of life. In spite of equal standing before the law women do not enjoy equality in

every day life.

First the environment was made responsible for this difference, but results of scientific research proved this theory to be wrong. It was brought to light that the difference was a biological one, not a social or a historical one.

In the "News week" magazine (18.5. 1981, NewYork) a detailed report has been printed in which different scientists present the outcomes of their research; among them were men and women. After studying thoroughly the physique of males and females they came to the conclusion that men are more apt in solving practical problems, whereas women showed more aptitude with regard to emotional problems. Boys tended to be more brave during play than girls. Men proved to be more able to endure austerity, these all are biological differences among men and women, not just environmental ones.

These scientists hold that men have got more leadership qualities. Further they stated that this distinction was brought about by nature, not nurture. Some researchers carried out experiments with the male hormone testosterone, which, when injected into females, caused them to develop, some male characteristics.

Some unborn girls were also treated with testosterone. After they were born and had grown up a bit it turned out that they showed hardly any interest in playing with dolls the way girls normally do, rather they were interest in typical boy's games. Further the scientists found out that the hormone itself is responsible for changing the structure of the brain. There is a difference between a male and female brain which is caused by hormones. Therefore one can safely say that there is an undeniable difference between the sexes.

Research has proven that the difference between men and women is one of creation therefore both should have different roles assigned. However people are not prepared yet to accept this reality. One western scholar says:

"Whether these physiological differences destine men and women for separate roles in society is a far more delicate question".(167)

Before that, in the "Time" edition of 20.3.1972 a detailed report was given for the preparation of which "Time" selected 20 educated women out of its vast staff to make a study of the new American woman. The study they made covered all aspects of life, taking help from experts of various fields. Then this report was published as a special feature. To sum up this report it had been said that all branches of science consider the male sex as the dominant one. In spite of a century's struggle women are still what they were 100 years ago.

In America men still hold the position of the superior sex.

The reason for this is not an environmental one, but a biological and physiological one. After 100 years of experimenting with women's liberation they arrived at the conclusion that some basic biological facts are a hindrance in establishing equality between the genders. This act of injustice has been committed by nature and not by society. Therefore their demand is now that by means of Eugenics the female genetic code should be alternated and a new species of women should be created which will enjoy the same rights and have access to the same facilities as men, thus creating a society in which gender-bias is non-existent. Such considerations are just as much of a folly as it would be to declare fish and goat to be equal. Since the goat gives milk the fish should also give milk. In case they don't and of course they don't, then one should change the genetical code of fish, thus creating milk yielding fish like goats yield milk.

WAR AGAINST NATURE

One day a doctor started thinking that the mouth should not be in the face, rather it should be on the stomach. So he carried out operations to remove mouths from faces and to place them on the stomach. The whole world started laughing at this idiocy, because whatever place nature ordained for a thing its place cannot be changed. Our success lies in accepting what nature has ordained not in coming up with new theories and attempting their realization, trying to create a new image.

One example of such phantasies is the problem of

women. Modern civilization started to draft a new plan of life. One point in this plan is that there should be perfect equality between the genders. To turn this phantasy into reality the whole structure of family and society was turned upside down. The result was that women did come out of their homes, but they could not become equal to men. The only reason for this is that nature was against man's fancies. (168)

THE CROWN PRINCE OF MANKIND AND WOMEN'S RIGHTS

After a close study of different nations and empires at different times, after examining the unbecoming treatment which was meted out to the fair sex, after investigating the darkest ages of human history it will be now not exaggerated to say that the Greatest Benefactor of Mankind  has been indeed also the greatest upholder of women's rights. Heaven has changed its face thousands of times, from day to night. Summer to winter, but never was there heard a voice that called so sympathetic, so sincerely towards giving women their rights and to treat them respectfully. There was a time when members of the fair sex were the victims of immense oppression, they were considered sin personified, a palace of 1000 deceits, a sweetmeat in which poison has been mixed, a venomous serpent, a furious dragon, the door to hell and the root of all evil.

Women have been oppressed exploited, exposed to violence, subjugated and constrained, they have been suffering all kinds of maltreatment at the hands of men. Deep inside their hearts they kept praying that those black clouds of desperations which overshadowed them for so long might be removed and that rays of Divine Compassion and Clemency may shine upon them, that a morning of festivity may follow after this night of sorrow.

On 9 Zul Hijj 10 A.H. corresponding to Friday, 6.3.632 C.E, in the plain of Arafat, the Greatest Benefactor of Mankind  declared in front of more than 130.000 sacred souls that:

"People! Your wives have got rights over you and you have got rights over your wives. They are

dependent on you, they are not capable to conduct affairs on their own. And no doubt you have got them as a trust from Allah, and they have become your legal spouses by the decree of Allah the Sublime, therefore fear Allah with regard to women and treat them leniently".(169)

WOMEN AND THE GREATEST BENEFACITOR OF MANKIND ﷺ ACKNOWLEDGEMENTS OF NON-MUSLIM THINKERS

Since women are the centre of mankind, the embellishment in the garden of humanity, Islam has endowed them with all honours with all social rights which they are entitled to receive. Islam made women the queen of their houses, granted them the right of personal property which they can dispose off or keep according to their own sweet will, Islam gave them the right to call for divorce (Khula), permitted them to remarry, gave them a share in the inheritance, made them respectable beings in the society and gave them all social, economical and legal rights.

Sayyidina Umar Farooq ؓ stated:

"During the days of ignorance we thought women to be nothing (i.e. they had no social standing whatsoever.) But with the advent of Islam and when Allah made special mention of women then we started to perceive that they have got rights over us as we have got over them."(170)

Independently from the statements of the Holy Qur'an and the Ahadith Sharif we are going to present some of the views of non-Muslim thinkers, which are going to prove that indeed only Islam is the standard bearer of women's rights, that Islam is the only means of delivering women from their plight and that Islam is the greatest well-wisher of women.

Now the eyes of all those self declared liberators of women, who blindly ape the west and twist the message of Islam should open up to see that not only Muslims but also non-Muslim philosophers, historians, thinkers, writers, scholars of great calibre acknowledge Islam to be the best representative of the rights of women and the only way to

deliver them from their plight.

The well-renowned French historian Gustave Lebon has written under the title "Islam's Influence on the Eastern Woman:

"Islam had a great and exceedingly beneficial impact on the life of Muslim women. Instead of humiliating them Islam gave them honour and raised their position, let them prosper like men in almost every field of life. The law of inheritance and women's rights which are stated in the Holy Qur'an are most beneficial, more comprehensive and closer to the nature of women than its European counterparts".

He continues:

"The best way to find out what Islam did for women is to study what their condition was before the advent of Islam. We can get an idea of their plight before Islam by looking at some of the Qur'anic injunctions. For instance the Divine Decree:

"And marry not women whom your fathers married, except what has already passed; indeed it was a shameful and most hateful and an evil-way. Forbidden to you (for marriage) are your mothers, your daughters, your sisters, your father's sisters, your mother's sisters your brother's daughters, your sister's daughters, your foster mothers who suckled you, your foster milk-suckling sisters, your wife's mothers, your step-daughters under your guardianship, born of your wives to whom you have gone in, but there is no sin on you if you have not gone in them (to marry their daughters), the wives of your sons who (spring) from your own loins, and two sisters in wedlock at the same time except for what has already passed." (Surah Nisa Verse 22,3) Truly nations acting according to such injunctions prove their high sense of morality and purity".

Then he states:

"If we want to see how Islam influenced women, then we should have a look at the Islamic civilization. According to the statements of some historians whom we are going to quote, has Islam

granted women exactly that status which they are now, very much later, about to be granted in Europe. After the knightly conduct of the Andalusian Arabs spread over Europe, European knights also started to adopt chevalersque morals, part of which was the noble treatment of women. This new attitude did not originate from the Christian religion, as is general thought, rather it was Islam alone who raised up women from their sunken state." (171)

After discussing how Islam gave women a very high status in literature and science he writes further:

"Well, we have proven our statement that Islam has raised the status of women instead of reducing it. We are not the first to express this opinion, Mr. cousan de Percois has stated something similar and so has Mr. Martholome saint Hiter."

Islam has tremendously improved the condition of women, that it was this religion can be proved very easily, since in all other cultures and religions that existed before the Arabs the state of women was a really sorry one.

Gustave Lebon writes shortly, without going into details:

"The old Greeks in general thought women to be creatures of less worth, their only purpose being that of running the household and to procreate. If any woman gave birth to a disabled child, then she was killed".

Further he continues:

"In general women were treated very harsh. The law of the Hindus states: 'Fate, storm, death, Hell, poison, venomous snakes, none of these is as bad as women are.' Even the Holy Bible is not much milder. There is written: 'Woman is more bitter than death ,' In the old Testament, chapter of proverbs is mentioned: 'Beloved to God is the one who saves himself from women. In thousand men there is one who is loved by God, but if all the world's women were taken together there would not be a single one loved by God.'"(172)

The European historian Arthur Gilman writes in his book "The history of Islam":

"After a lot of research I am able to say that 600 years after Christ the condition of women was a miserable one. She had no status whatsoever and no rights whatsoever. It has been in the year 611 C.E. when the Messenger of Islam ﷺ delivered women from her disgraceful plight, seating her on the throne of honour and respect. I firmly believe that no other religion has done as much for women as Islam has. There is no doubt that the Prophet Muhammad ﷺ was a great supporter of women's rights. He saved her from drowning in a sea of ruin and disgrace. Arabs considered girls to be cause of ignomy and shame. If a girl was not fair and pleasant to look at she was buried alive right after she was born.

In Greece weak and ugly girls were killed and in some provinces people used to give girls as pawn, when the loan was paid back they would take their daughters back.

In England also the standing of women was very low. They were thought of as slaves. Her duty was to serve her husband, her guardian and her priest. One Christian sect held the belief that women are one of the devil's instruments to lead the soul of men into perdition, therefore every reasonable man thought women to be something very mean. The freedom which women enjoy today in the west has no foundation in religions. Even today the Christian law does not support women. Religious minded Christians still do not treat women well. In some religions circles they are only considered as "birth machines". To make it short, in the year 611 C.E. the life of women in general was a miserable one. It was the Messenger of Islam ﷺ who appeared as patron of the fair sex. The great regard for women he had becomes clear after studying his biography. After studying the teachings of Islam I can say with full conviction that Islam is offering men and women what is nearest to "equal rights." Women

are not just considered to be "birth machines" or devilish devices to destroy the souls of men. Islam teaches to treat women equal and with justice, not to marry them for the sake of laying hands on their wealth, not to harm them, to treat her relations well and to educate her. I know that they are barred from becoming scholars of Christianity, even if she has enough knowledge to become one. At most she can become a maid in a church. Islam on the other hand has made the pursuit of religious knowledge binding on men and women. The door to distinction, education and training is equally open for all. Islamic history is full of women who were scholars, doctors, poets and preachers. Great divines like Imam Shafii were taught by women, Imam Shafii's teacher was Nafeesa Khatoon, Suyooti read books by Asia Begum, Muhyud-din Arabi was a student of Amna Begum. Islam has provided women rights in every aspect of life and raised her status from that of a slave to the platform of honour and distinction."(173)

Voltaire writes in his "Dictionary of philosophy" under the heading "Philosophy of the Qur'an":

"We are well aware that the Qur'an grants women all the rights which her nature permits her to have. Unlike the Bible the Qur'an does not say that the nature of women is a divine punishment, as is stated in Genesis 3.16. It is a deception that someone who has brought so great a legal code as has Muhammad ﷺ, has deprived women of their rights or treated them unjustly. The truth is

"If you dislike them, it may be that you like a thing and Allah brings through it a great deal of good".

(Holy Qur'an 4. 19.)

and: "And among His signs is this, that He created for you wives from among your selves, that you may find repose in them and He has put between you affection and mercy. Verily in that are indeed signs for a people who reflect". (Holy Qur'an 30.21)

One more western writer state in his book "Defence of Islam"

"If woman has got a higher social position, then there is no doubt that her religious and legal position was till a few years ago less than that of women living in the Muslim world". (174)

The well renowned Hindu writer and biographer of the Holy Prophet ﷺ describes in his book "Moon of Arabia" the condition of women before the advent of Islam as follows:

"The terrible characteristics of men showed their true colour, women were treated like slaves. Girls of 5 or 7 years of age, beautiful like little flowers were well fed, dressed up, taken out and buried alive in any pit. This was the more trivial aspect of their cruelty and oppressiveness". (175)

Mr. Coulson writes in "Islamic Surveys, A history of Islamic law":

"There is no doubt regarding the Qur'anic injunctions concerning women, esp. married women to be the most superior. The legal regulations of Marriage and Divorce are numerous, their purpose is that of improving the lot of women, and they demonstrate a revolutionary change in the laws of the Arabs. She became a person before the law which she has not been previously. The greatest change which the Holy Qur'an brought about in the laws of Divorce was that of including the waiting-period in Divorce".(176)

The famous Parsi Leader C.A. Burma writes in his essay "The Prophet Muhammad ﷺ and the elevation of women :

"Islam has raised the status of women enormously. No other religion has done as much for the betterment of women as Islam has. Therefore we can call Sayyidina Muhammad ﷺ the greatest upholder of women's rights. Biased writers and blind-to-the-truth scholars have spread many wrong conceptions about Islam. They went so far to say that Sayyidina Muhammad ﷺ has degraded women from her former position and deprived her

of the freedom and rights she enjoyed, whereas this is absolutely wrong.”

Further he writes:

“After closely studying the life of the Messenger of Islam ﷺ I came to the conclusion that he, from his birth till his death was active in improving the status of women. He safeguarded her political, social and civil rights with such fevour, loaded on himself such a great burden which besides him no man would have done. His efforts to grant men and women equal rights proved greatly beneficial as can be deduced after studying her condition before the advent of Islam”.

What was the condition of the Arabs before the death of Sayyidina Muhammad ﷺ? Obscenities, sins, immoral crimes, murder of daughters were widespread. Humans were caught in a storm of barbarism. This storm hit again and again the deserts of Arabia. It is nothing short of a miracle that the Message of Islam ﷺ raised the status of women, and helped the Arabs to recover from the countless ills. Certainly there were some women who had a good standing in society, even before Islam. Some were great traders. One woman gave Sayyidina Muhammad ﷺ her trading goods to export them and afterwards he married that same respectable lady. That was the time when he realized that the purpose of his life is to improve the lot of women. Some women's condition was already well, but in general women were badly maltreated in whole Arabia, a fact which he did witness himself. He said that it is only woman who can give comfort and tranquility to man, and that women have got the greatest share in building society. Therefore, if there should be any betterment for the Arabs, then it must begin with raising women to an honourable position.

The first one to believe in the Messenger of Allah ﷺ was his wife. The Highest Truth has been granting this honour to a woman, that they guard faith and ever enter ranks of Jihad. It becomes quite clear how highly the Holy Prophet ﷺ held women in esteem, he said “Paradise lies below the feet of your mother”, i.e. you will enter paradise by means of a woman. Statements full of respect like these

prove how much the status of women was elevated. All the practical measurements he took for giving women a life of comfort are another admirable feat. Along with that he also sanctioned women's legal rights, he granted them the right of property. Now they were able to own estate just as men were. He passed laws to safeguard their civil rights and her social rights and made her an entity before the law. Women were granted the right to opt whether they want to be under the guardianship of their husbands, brothers or fathers.

Islam granted rights to women 1400 years ago which were passed only 100 years ago by the legal assemblies of Europe. Besides legal, political and civil rights she was granted social rights pertaining to marriage, divorce and so on. Islam gave so many facilities to women like no other religion did.

The life of the Holy Prophet ﷺ and his message are a luminous highway of guidance and a torch to lead the way for all times to come." (177)

Irena Medimax writes about the teachings of the Prophet ﷺ concerning women and their status.

"There is no comparison found in the history of the world to what Muhammad ﷺ did for the protection of women's rights. Even today a married Muslim woman enjoys better legal protection than an English woman. Islam granted such rights to women which even French women do not have today." (178)

In 1911 the Arab Christian newspaper "Al watan" questioned 100,000 Arab Christians as to who the greatest human being ever was. One Christian scholar "Dawud Mujais" wrote:

"The world's greatest man was the Prophet of Islam ﷺ. He did not even neglect the betterment of institutions like marriage and family, he made regulations with regard to marriage and inheritance and raised the status of women". (179)

Reverend R. Maxwell gave a lecture on 17.1.1915 in the Old Presbyterian Church in New Tords, the topic of which was "Islam". In this lecture he acknowledge that Islam is a

religion for the masses, it considers all humans to be equal. One part of its teachings is about women, wherever the Qur'an mentions them, it is done with respect. Treating women with love and affection has been greatly emphasized. (180)

The well renowned European scholar Lebon in his thought provoking book "Islam and Arab civilization".

"The natural consistency of Islam is unique from point of its fundamentals because its agent is one book, the Qur'an. This book contains laws covering religion, political and communal matters. Islam has established regard for the rights of women." (181)

The Canadian Judge Mr. Crebyte writes:

"The Prophet Muhammad ﷺ has been the world's greatest upholder of women's rights.

Andre ceromair expressed his appreciation thus:

"Muhammad ﷺ has tried to be a supporter of women. He talked for their sake to the largehearted ones and succeeded in his attempt to raise the status of women. Before those betterments women and children did not get a share in the inheritance. The most regretful part was then that the closest relations of the deceased would seize the belongings of a woman like they would seize the belongings of a slave.

The Messenger of Islam ﷺ included in his last speech "Khutba Hujjatul Wida" the message to be good to ones wives because they are dependent, they cannot do any thing on their own." (182)

The famous orientalist and professor of Arabic Studies at the University of London, Hamilton A.R. Gibb. acknowledges the facts as follows:

"It is a generally accepted fact that the Prophet Muhammad ﷺ raised the general status of women".(183)

Mrs. Annie Besant, the President of South India's "Theosophic Society" and participant in the "Free India Movement" writes in her book "Great Religions of India":

"There is an Ayat in the Qur'an: And whosever

does righteous good deeds, male or female and is a true believer (in the Oneness of Allah), such will enter Paradise and not the least injustice, even to the size of the speck on the back of a date stone will be done to them." (4.124) The teachings of the Prophet Muhammad ﷺ were not limited to moral teachings only, but there is a whole law about women's share of inheritance in the Holy Qur'an. And this law is with regard to justice and comprehensiveness far superior to the English or Christian law which has been mode of action in Britain for the last 20 years. The laws which Islam has given with regard to women are exemplary. Islam took the responsibility to protect the rights of women as far as possible and strictly prohibited that any one lays hands on what they inherit from their relations and husbands."(184)

Orientalist Monsieurlfa explains:

"If we would go back to the days of the Holy Prophet ﷺ then we would easily be able to acknowledge that no one else has ever given so beneficial instructions about women as he has. His attitude towards women was very generous. There are many greatly impressive Ayats in the Holy Qur'an with regard to women's rights. Some Ayats state which kind of benefitting from women is impermissible and some state what respectable beings they are."(185)

"The Prophet Muhammad ﷺ has been the world's greatest upholder of women's rights".(186)

In the ancient world many superstitions prevailed due to which women were thought of very low. As a result of this women were deprived of their rights, one of which was the right of property. Islam was the first power in history to fix a share of inheritance for women. J.M. Roberts writes:

"Its coming was in many ways revolutionary. It kept women, for example, in an inferior position, but gave them legal rights over property not available to women in many European countries until the nineteenth century. Even the slave had rights and

inside the community of the believers there were no castes nor inherited status. This revolution was rooted in a religion which-like that of the Jews-was not distinct from other sides of life but embraced them all."

The retired Chief Justice of the Delhi Highcourt, Rajandar Sachar has said that:

"Historically Islam had been very liberal and progressive in granting property rights to women. The fact that there were no property rights to Hindu women untill 1956 when the Hindu Code Bill was passed whereas Islam had granted these rights to Muslim women over 1400 years ago."(188)

G.W. Leitner writes:

"The honour and respect which Muhammad ﷺ has given to women can neither be given to her by the west nor any other religion." (189)

Prof. Rama Krishna Rao has written a biography of the Messenger of Allah ﷺ a few years ago. After comparing Islam and the modern civilization he writes:

"Islam got all that communal spirit which was needed to deliver women from men".

Further he writes with reference to sir Charles Edward Archibald:

"Islam teaches that man is born innocent, i.e. the idea of original sin is non-existent in Islam. Men and women have been created from the same material; they all have got a soul and possess intellectual, moral and spiritual abilities. "

He continues:

"The Arabs had a custom that only the one who can play with spears and use the sword has got the right to inherit. But Islam took the side of the weaker sex and granted women their share in the inheritance. Already hundreds of years ago Islam gave women the right of property whereas the English law givers followed up with something similar only in the year 1881, the famous 'Married Women' Act!"

Centuries ago the Messenger of Islam ﷺ announced

that women make half of a pair. The rights of women are sacred, care should be taken, that they are not deprived of their divinely sanctioned rights. (190) Murrey Crebytes who has been the former American Judge of Egypt's mixed tribunals has delivered a speech about what the Holy Prophet ﷺ has done for women. He acknowledged that the list of Sayyidina Muhammad's ﷺ achievements with regard to women's rights which he granted the female members of his community is overwhelming. Before the law a woman had exactly the same rights as her husband.

With regard to the right of ownership which a married Muslim woman has, she is as free as a bird concerning what she does with her property. She can spend it on anything lawful she likes without her husband having a right to interfere in her affairs. (191)

Dr. Gustave Lebon writes:

"The principles of inheritance as laid down in the Qur'an are a self-speaking demonstration of fairness and justice. Comparing the Islamic laws with the laws prevalent in Britain and France one comes to the conclusion that the Shariah gives married women (the same women about whom the west claims that they are maltreated by their husbands) such rights of inheritance which have no match in other laws. Islam's impact on the position of the Eastern woman was very great. Instead of lowering her social status Islam has raised it. This is a proven counter-argument against the claims and accusations which the West brought up against Islam, without any investigation into the matter. In fact the laws of inheritance as given in the Qur'an are far better than what the West has to offer. The high status women enjoy in Islam is further proven by the great number of lady scholars and writers which appeared with the rise of Islam and the Arab civilization". (192)

"For many centuries a western woman did have no share in the property of her deceased father or grandfather. She was not entitled to receive anything, even now laws in many European countries are such that a daughter cannot be heir of her father's estate unless he made a will to the

effect.”

Muhammad ﷺ raised the status of women and entitled them to receive a fixed part of her father's property.”

S.P. Scott writes:

“Muhammad ﷺ is the only legislator who has for the first time in the history of the world, made laws concerning the rights of women and at the same time ensured the protection of those rights.” (193)

Mr. Pair Carriptes Writes:

“Muhammad ﷺ safeguarded women's rights like no one else did before him. He set up a legal framework due to which women became rightful claimants of inheritance and owners of estate. Now they had become entitled to make contracts and a veiled Muslim lady enjoys more rights than a modern educated Christian woman of the 20th century.” (194)

General Gloob Pasha (John Bagot) served in Arab countries for a long period of time, thereafter he wrote a biography of the Noble Messenger of Allah ﷺ with the title “The Life and Times of Muhammad” ﷺ. In it he states:

“From financial aspect Muhammad ﷺ helped women to become recipient of a fixed share in the inheritance of their relations. He included women in the heirs of their parents estate. Before the advent of Islam only sons were the heirs of their parents.”

The Prophet ﷺ set an end to that gruesome custom of burying newborn girls alive and forbade that sons marry their father's wives. (195)

Annie Besant describes the rank status of women in Islam in the following words:

“Remember that the Islamic law is till today, when parts of it also started to be implemented in England, still the most just law. When it comes to property or divorce this law is far superior to the western laws. The rights of women have become most encompassing under the Islamic law. This connection is made with what we consider as laws

today.” (196)

The well renowned non-Muslim biographer of the Messenger of Islam ﷺ R.V.C. Bodley after stating the rank of women in the modern civilization and religions as compared to Islam writes the following:

“In this way these laws raised the status of women higher than compared to western countries of those times.

Actually even today has a Muslim husband not as many rights on the property of his wife as has a husband in many of the European countries. Islam has already 1300 years ago granted women rights of property fully independent from their husbands, property with which they can do whatever they please”.

Bodley continues:

“If someone reads those injunctions and many injunctions before that which Sayyidina Muhammad ﷺ sanctioned in his life, then one cannot be but surprised at the injustices done by those who badname him in this course. It seems that such people have intentionally twisted the teachings of Islam concerning women and that they now enjoy how the Muslim women is considered as disgraced and mean by other women”.(197)

Orientalist D.S. Margoliouth who never made any attempt to hide his enmity towards Islam and the Prophet of Islam ﷺ, and who let no chance of criticizing Islam pass by, wrote one biography of the Holy Prophet ﷺ in which he let loose a tempest of fabrications, objections and criticism. In one place however he acknowledges the reality as follows:

“The age of ignorance is one thing, but also neither in Christianity nor in Hinduism could one think of women in terms of valuable members of the human race or as owner of property. These religions did not permit women to be prosperous like men. In these religions, cultures and societies the status of women was like that of slave-girls delivered unto the mercy of men for all of their life.

Muhammad ﷺ bestowed freedom upon her and authority and gave her the right to live a life full of confidence". (198)

The Encyclopedia of Religion and Ethics states:

"The Messenger of Islam ﷺ truly raised the status of women from what it was in the old Arabia. Especially women did not remain deprived of the properties of their deceased husbands, rather it made them rightful claimants of a part thereof.

She could not be forced to marry again, like any free individual. In case of divorce the husband was obliged to hand over all the things she gave to him at the time marriage, also women of better families started to take interest in science and poetry, some even started to work as teachers. The women in common Muslim families were like queens in their houses, sharing happiness and sorrow with their husbands and there they started to be treated with honour and respect." (199)

Western Scholar Robert Gullick writes:

"Muhammad ﷺ bestowed upon women the right of property and inheritance already 1300 years ago, these are the rights which women did not get before 1875 in England." (200)

IMPRESSIONS OF WESTERN LADY-CONVERTS TO ISLAM

The "Times" edition of 9.11.93 carried one detailed article dealing with the reason why British women convert to Islam.

It says that in spite of the negative picture of Islam which western media present, Islam is spreading fast among the Britons.

According to them a great number of converts are women, also in America the number of women converting to Islam is much higher than that of men, four times more to be exact.

"It is even more ironic that most British converts be women, given the widespread view in the west that Islam treats women poorly."

SOME WOMEN INTERVIEWED

After the article "Times" presented interviews of some highly educated women of British origin who accepted Islam after making a very profound study of it.

One woman's Islamic have is "Maimoonah", she is 39 years old. She was Christian; before accepting Islam, she had studied the various sects of Christianity, thereafter Judaism, Buddhism, Hare Krishna. In the end she chose Islam. A number of women said that they were simply tired of the clergies, rituals and formalities. About Islam they liked that man can directly, without any intermediary approach his lord.

One 28 year old Muslim woman who has become known under the name "Huda Khutoob" and who also wrote a book for Muslim woman, reverted to Islam 10 years ago. Comparing Islam and Christianity she says:

"Christianity is always changing. Now for instance some clergy say that there is nothing objectionable in premarital sexual intercourse, provided it is with the one whom a person intends to marry. This is a very loose religion. The teachings of Islam concerning sexual relations are static and not to be abrogated. Prayers enable man to always perceive Allah's presence, lets man always keeping in touch with his lord."

The general impression is that in the west women like to work side by side with men. Giving up their desires seems to be very difficult for them.

But those British women converts who were interviewed by "Time" say that Islam attracted them because it has provided different set ups for men and women according to their physiology and biology. According to them, feminism has betrayed women, about the women's liberation movement they say that it is nothing but women copying men, an exercise in which womanhood has no intrinsic value."

A 36 year old woman from Scotland found in 1974 some Quranic Ayat in a garbage can (العياذ بالله). She picked them up and after reading them she felt attracted to Islam and became a Muslim. She now calls herself Nooria. During

one talk Nooria describes the condition of western women as follows:

“Most of the women in this country are traitors to their sex, it’s almost as if we have been defeminised.”

Nooria has a friend who became Muslim in 1988 and who calls herself Rukhsana. Since her conversion she follows the injunctions of Hijab and says: “At least I did not betray my sex. The veil protects us. Because of it we are more confident.”

Nooria says: “Even today the woman adopts her husband’s name after marriage. Islam has granted us rights different from men’s. The state to which this country is leading, I don’t think it has any future for women. She will have a bad end in any case.”

“Scratch any ‘new man’ and you find an old man trying to get out. Men will always be the same. Women are changing much faster, but they are not trying to get what they want. Everything the feminist movement is aiming for except abortion and lesbianism we have got.” (201)

Prof. Rudolf Schachber of the University of Bonn (Germany) discloses during his 1993 visit to Cairo that within 10 months 10.000 women accepted Islam.

One widely circulated German weekly “Der Spiegel” brought a detailed article as a series in three of its issues. This article was about Islam in Germany.

It states that in the last few months 8000 German women converted to Islam. Examining the reasons for such a great number of converts in such a short time the magazine “Der Spiegel” wrote that Islam is a complete code of life, including and covering all of its aspects. Providing for each of its aspects an example and a law.

One German scholar, Sieglinde Moorsch explains the reasons for German women accepting Islam as follows, that Islam is the only religion which strongly emphasizes morality, it grants all individuals certain rights and provides for each angle of life a sound tradition and firm laws. That is why German women think Islam is able to fulfil their needs. They search for a solution to their problems in the teachings of Islam. “Der Spiegel” also presents the

different views of German converts about Islam.

A well known German singer who converted to Islam describes her reason for converting thus. "Islam is the only religion which provided laws for the comfort of women and laws to protect her from ruin." (202)

Similarly the London "Times" included in its edition of 9.11.93 interviews of some women who turned their back to lust and found peace and tranquility in Islam. It is not possible to reproduce all of them, but a part of the issue about The choice of Islam has been reproduced unshortened, inspite of fear of lengthiness. Times writes:

As the investigation in The Times on women and Islam has shown, the intellectual clarity and moral certainty of this 1400 years-old "faith are proving attractive to many Western women disillusioned with the moral relationism of their own culture. Though some are converting to Islam after marrying Pakistani or Bangladeshi men, others are making the leap of faith as an independent act of spiritual self-improvement.

In spite of the outrageous indignities which many women suffer in Muslim countries the principles outlined in the Koran are generally sympathetic

to their interests, promising them rights over men similar to those of men over women.

The separate spheres marked out for the two sexes by Islam certainly bear little relationship to the notions of gender which have been ushered in by the feminist revolution. But what matters is that many of the women in the West who have taken this unexpected path have done so out of choice rather than familial duty or historic obligation. They have been positively attracted by the sense of sisterhood and community they discover in Islam.

This tentative process of spiritual change suggests that increasing numbers of people are questioning the value system of their own culture. It raises important questions about the state of the Western moral tradition and how it might be fortified. Yet the effect of this (still modest) phenomenon is likely to be positive. The presence of Muslim converts in British society, many of them highly educated..... can only assist the process of

mutual understanding between the two cultures which the Prince of Wales celebrated last month. Only those who have crossed the divide can truly understand what lies on either side.

CHAPTER 6

KHUTBA HUJJATUL WIDA AND THE REVOLUTIONARY ANNOUNCEMENT OF THE RIGHTS OF SLAVES

“Your slaves, your slaves, treat them well, feed them what you eat yourselves and dress them with what you dress yourselves. If your slave commits an error which you cannot forgive him, then sell him but do not punish him. Listen, Did convey the message? Allah, be witness. (1)

Oh people! Hear and obey even if an Ethiopian slave with a cut nose is made ruler over you, as long as he follows the injunctions of Allah’s book.” (2)

The Greatest Benefactor of Mankind ﷺ presented mankind a unique, unprecedented and eternally valid Charter of Human Rights during the last stage of his life. This Charter of Human Rights is nothing but his famous “Khutba Hujjatul Wida, in which he gave for the first time in human history great importance to the most oppressed group of people, the slaves and the protection of their rights. Therefore he said emphasisingly “your slaves, your slaves.” At the end of his auspicious and eternally blessed life he mentioned slaves and prayers. This lets one have an idea of how much importance he considered the topic.

His words are nothing short of a great revolution in the history of man, His statement removed the distinction between master and slave. The effect of his teachings lasted his own blessed times till long afterwards, a fact to which Hindu-Scholar Lala Shyamnath M.A. bears witness.

These are his words:

“Sayyidina Muhammad ﷺ ordered Muslims to fear Allah with regard to slaves, whatever you eat give also to them to eat, whatever you wear give also to them to wear, do not hurt them. The result of his teaching was that only the name of slavery remained, otherwise slaves were treated at par with free men, master and slave were offering prayers side by side.” (3)

Says Iqbal:

“In one single now stand Mahmood and Eyaz
neither of them is now slave or master”.

One more Hindu-Scholar depicts the effect of the Greatest Benefactor's of Mankind ﷺ teachings as follows:

“The effect of those teachings was that once an outstanding character like Sayyidina Umar, after becoming Caliph and while on a journey to Jerusalem with his slave, rode the camel for one stage and let the slave walk, then he made the slave ride for a stage, walking himself. This was done throughout the trip. This shows how he paid heed to even the most minute aspects of the teachings of the Messenger of Islam. ﷺ.” (4)

To make the revolutionary teachings concerning the rights of slaves which were brought by the Greatest Benefactor of Mankind ﷺ shine out more brilliant shall be presented below an analytical, historical and comparative study of the status of slaves in different civilization of that time, different world religions and their status in the west.

SLAVERY IN THE WORLD HISTORY

The institution of slavery is as old as mankind itself. It is found in every age and every nation. It dates back to a time when human society was still barbarian and it continued to spread even at a time when material progress and prosperity made it superfluous.(5)

Strong tribes over came weaker ones, the former turned the latter into slaves. Mostly slaves were made after wars. The defeated were imprisoned, either they were killed or set free after taking ransom from them or they were forced to be slaves for the remainder of their lives, forced do any kind of work. This latter thing was the most common. Soon trade of slaves and slave girls began to flourish and they turned out to be such an essential commodity that no nation was found without slaves.

In Greece, Rome, Egypt, India, everywhere slavery was common. In some countries the number of slaves equalled the number of free citizens. Even in Europe slavery was common till the middle of the 19th century. European

powers made not only prisoners of war slaves, but also subjugated whole nations which they considered uncivilized. Slaves were treated like animals, sometimes even worse. Their masters had full power over them, including their lives. There was no punishment for killing a slave. They were forced to do most strenuous works, Minor lapses and rebellion were punished severely. The owner of a slaves belongings was his master. This was the condition of slaves almost all over the world. (6)

Greek philosophers divided mankind into 2 groups: the ones born free and the ones born as slaves. According to them the second group was only born to serve the first.

Aristotle declared slavery to be essential for society. His viewpoint was that the real objective of founding a state was to make life of the society better and better. To achieve this the presence of slaves was imperative. They were to do the hard physical work which members of society either could not or did not want to do themselves.

Romans believed that all men were born free, but in spite of this belief they thought that prisoners of war, children born from slaves people who could not pay back their loans and those who deserted their troops deserve to spend their lives in slavery. (7)

SLAVERY IN THE WORLD'S GREAT RELIGIONS

JUDAISM AND SLAVERY

According to the Jewish Shariat, a Hebrew could bring another Hebrew into slavery in any of the following three cases.

1. A person who could not pay back his loan because of poverty. A rich person would pay back the loan on his behalf and the poor man would then become the slave of the rich man.
2. Someone who committed theft and was not able to return the stolen property to its rightful owner could sell himself to any rich man as a slave. The rich man would then compensate for the theft.
3. Parents could sell their children as slaves. But there

is no doubt that Jews did treat slaves better than other nations. (9)

Further proves how ignominable slaves were considered are that a slave could not marry a free woman, nor was he considered worthy to read even three verses of a religious book before a gathering, nor was he entitled that his master keeps an amulet on his head as a sign of affection. (10)

CHRISTIANITY AND SLAVERY

The Christian writer C.P. Agate writes:

“There is nowhere in the teachings of Christ disapprovement of slavery expressed in clear terms. It is correct that opponents of slavery cannot quote a single verse from the New Testament which would corroborate their views, whereas the supporters of slavery can argue with the help of the actual matter of the text of the New Testament.”(11)

Nowhere in the New Testament are given instructions to set slaves free or to treat them well, where as slaves are admonished again and again to obey their masters and not to rebel against their master's order. Paulus wrote a letter to slaves instructing them to follow their master's order like they follow the orders of Jesus. (12)

HINDUISM AND SLAVERY

Slavery is mentioned in all religious books of Hinduism which are written in Sanskrit. Manu, who compiled the “Manusmerti” mentions the following reasons and kinds of slavery:

There are 7 kinds of slaves,

1. Prisoners of war
 2. Those who sold themselves for bread into slavery
 3. Those who are born by slave-girls
 4. A bought slave
 5. A gifted slave
 6. An inherited slave
 7. Someone who was made to be a slave as a punishment.
- (13)

Manushaster is one of the lawgiving religious books of Hinduism. In it is stated:

“The Omnipotent Greator fashioned the Brahmin from his face, the Chateri from his hands, the Desh from his things and the Shudra from his feet.” (14)

In the Manus Marti is written:

“The Creator gave the Shudra only one duty and that is to serve the three higher castes.” (15)

The Shudra is ordered to serve those 3 castes, he has been created only for this purpose.” (16)

Hindus think that slavery is a characteristic of a Shudra, Ever, if his master sets him free he will remain a salve.

“Even if a Shudra is set free he will not be considered free, because Providence created him to be a slave.” (17)

To understand the status of the “Shudra” slave in Hinduism it is incumbent to study the religious and legal texts of this religion.

If a Brahmin kills a Shudra he will not be liable for punishment but he will have to pay expiation, which equals that of killing a mongoose, a lizard, a mouse or a snake. (18)

If a Brahmin stands in the need of it he may seize the belongings of a Shudra forcefully. This will not be a crime.(19)

If any Shudra reads the Veda, then his tongue is to be cut. If he listens to Mantras them molten lead is to be poured in his ears. If he learns Mantras by heart then he is to be killed and cut into pieces. (20)

A Shudra is not allowed to read or teach the Vedas. If he reads the Vedas, then he and his teacher will be reborn as demons. (21)

A Shudra's salvation depends on his serving a Brahmin. This is the mode of worship prescribed for him. If he wants to do any other good deed besides serving a Brahmin, then the virtue will go unrewarded. (22)

If a Shudra abuses a Brahmin or a Chateri or takes his name in disrespect then it becomes incumbent on the Shudra to get a finger long red hot nail thrust into his throat. (23)

If a Shudra spits at a Brahmin then his lips are to be cut.(24)

If a Shudra raises his hand against a Brahmin then his hand is to be cut. If he kicks a Brahmin then his foot is to be amputated. If he sits next to a Brahmin then his buttocks are to be branded. (25)

JAINISM AND SLAVERY:

The status of a slave in Jainism becomes clear after studying a becomes about the history of Jainism which is reproduced below:

“A man can give his slaves severe punishment for minor lapses. He could inflict injuries on him, pull his hair out along with the roots, could put him in to fetters, a wooden, block or could imprison him, could disjoint his wrists and ankles and break them by twisting them, he could cut off his slaves hands, feet, nose, lips, disfigure his face or behead him. He could put out his eyes, cut his tongue or break his teeth. He could hang him, chafe him, spin him, kill him with pegs and hooks, let him bleed white, pour acid into his wounds tie him to the tail of a tiger or a bull, feed him to crows and vultures, could torture him with a burning piece of wood, could starve him, imprison him for life, or let him be prey to be hunted by the upper class.” (26)

In one Jaini writing the terms for born slave and person of low birth have been used for expressions of contempt like, dog, thief, dacoit, villain, liar and so on. (27)

BUDDHISM AND SLAVERY

In Buddhism slaves are not permitted to perform any act of worship or any religions ceremony, neither were they permitted to attend any such ceremonies so that their masters would not set them free. (28)

SLAVERY IN THE AGE OF IGNORANCE:

The institution of slavery was common in pre-Islamic Arabia like every where else. Captives were made slaves, regardless of their being Arab or non-Arabs. They did not hesitate to enslave people of their own nation. There was a regular buying and selling of slaves in pre Islamic Arabia.

The enormous wealth of the Quraish was an important factor in running a slave-market. The biggest slave trader at that time was Abdullah bin Judan who had very for reaching business connections.

Offspring of slaves were automatically considered to be slaves, too. At that time slaves had no rights at all. They had no option to even purchase essential commodities, nor had they any belongings. (29)

THE WEST AND SLAVERY BEGINNING AND EVOLUTION

THE WESTERN WORLD AND SLAVERY:

The ancient Greece and the Roman Empire were what one could call the superpowers of the old world. They thought that the looks, physique and inborn characteristics of the Persians, Egypt, Celtics and Germans are completely different from their own, therefore their conduct is also very different.

Plato and Aristotle confirmed the natural superiority of the Greeks, stating that they are far better than the savages.

Aristotle advocated the theory that some people are born slaves so that they might serve the Greek. (30)

All the theories prevalent in Europe concerning the superiority of certain races are based on two historical ideas,

1. That the nature of Greeks and Romans is more excellent than the nature of any other nation.
2. That the Jews are the chosen people of God and therefore far superior to any other people. (31)

It cannot be denied that the greatest victim of slavery in Europe have been the black-skinned people.

The bias for black and reference for white is very old in Christianity, it existed even before it was related to human beings. Black has always stood for sin and evil. Death and hell have also been associated with it. Expressions like black list, black sheep, black magic are in use even today. Compared to this white was considered to stand for innocence, purity and peace. These already existing

prejudices were highly contributive to spreading imperialism and colonialism when the clashes between Africa and Europe began. (32)

Slavery and Imperialism are interdependent. When Europeans started settling in Asia, Africa and Australia they justified their increased confiscation of land with the theory of the pure white race's superiority. (33) Since Europeans were more progressive than Africans they took their progressiveness as moral justification to drive Africa into slavery for their own economical benefit. They thought since Africans are uncivilized, uneducated, and living like animals, there is nothing wrong or against ethics to make use of them as slaves. (34)

Europe kept looking for ethical justifications for slavery. All the calamities it brought upon Africa, all the injustice done, whose effects are felt even today, need to be examined further.

Africans were degraded to mere beasts, the whole world looked down upon them with contempt and disdain. The roots of racism which grew out of hatred and enmity are very deep. Europe is still haunted by the demon of prejudice and bias towards people with a different colour of skin. Despite her material progress, Europe has not been able to rid herself of that demon.

SLAVERY IN MEDIEVAL EUROPE

The middle ages i.e. the time when Islam started to send forth its light in another part of the world, was the time when in Europe all kinds of immoralities and vices started to raise their ugly head in the name of Christianity

S.P. Scott writes in his book "History of the Moorish Empire in Europe" the following about the social and legal status of slaves:

"There were two kinds of slaves, superior and inferior."

The mentioned historian came from a village and somehow he could never separate himself from it. Anyway these poor porters were counted among the beasts.

The law valid at that time included peasants in the assets of an estate, like bricks, stones, trees, bushes and so

on, Night and day they were made to work. They were made to live with animals. They wore a metal chain around their necks.

They had no rights. They were not even acquainted with the word "freedom". Their state was pathetic and destitute. The wrongs and oppressions slaves had to bear in the middle ages have no match in the whole world's history. (35)

According to historian Westermarck a master in the 13th century had all rights over his slave, even over his life and death. (36)

SLAVERY IN MODERN EUROPE

The Portuguese attacked Angola in the 16th Century C.E. This was the beginning of an organized and highly profitable trading of slaves in Europe. African slaves were sent to Brazil, thus this organized trading of slaves continued to flourish till the beginning of the 19th century. (37)

LAWS REGARDING THE OWNING OF SLAVES:

To organize and regulate slavery a law was sanctioned in Virginia in 1670 that any non-Christian Negro coming to America by ship will be a slave for all his life.

Europe was the world's trading centre for slaves, some facts and figures are given below:

From 1593 till 1700 some 3 million Africans were forced into slavery and deported to Europe.

From 1701 till 1810 the slave trade soared and 9 million more individuals were made to be slaves.

From 1811 till 1870 some 109 million Africans were snatched away from their families and sold like animals.

English, French, Spanish, Portuguese, Germans and Dutch all were involved in the slave trade. (38)

Lord Crome, a highly bigoted Christian writes:

"One of the affairs which are enourmously embarrassing for the Christian world is that they are not contended with making slaves only, worse is that they started to take people as hostages and then forced them into slavery." (39)

The English historian France Croney describes the state of slavery in the year 1687 thus:

"This is the greatest market of imported slaves. They are coming here stark naked. Any potential buyer is opening mouths and inspecting them like horses or any other animal." (40)

AN ANALYSIS OF THE NUMBER OF SLAVES IN THE EUROPEAN WORLD

Till 1750 there were some 250.000 slaves in British America. Their number doubled at the time of Independence. Their number decreased in the northern states after the Declaration of independence but in the south they continued to be an essential commodity of life. Till 1860 there were 4 Million Africans in 14 states.(41)

In 1780 laws to abolish slavery were sanctioned. Still, in spite of a clear statement in the Declaration of Independence that all men are created equal there were more than 600.000 slaves in the southern states till 1790.(42)

In 1760 some 150.000 white families owned slaves. (45)

According to the "National Call" of 14.4.35 there were till 1928 at least some 5 Million slaves in the European world to which America counts.

SOCIAL AND LEGAL STATUS OF SLAVES IN THE CIVILIZED EUROPEAN WORLD

One former slave who lived in America and managed to escape and reach the free states at the age of 21 has outlined the evils of that system on these words:

"The law gives the master unlimited authority over the slave. He can make him do any work, can whip him, can rent him out sell him and in some cases kill him. He is free to do anything with him. A slave in spite of being a human has no rights, he is property like a dog or a horse. He is no part of the human brotherhood. In the account books of his master he is listed along with horses, sheep and hogs."

According to the law he had neither a wife nor children neither any estate nor a house. He could not own anything,

could not put his hands on anything and could not strive to get anything." (44)

In 1844 Senator John Hammond remarked about the death of his two slaves:

"Not a very big loss, an expensive mule has also died." (45)

In 1809 a court in South Carolina passed the judgment that

"Young slaves are just like cattle." (46)

In 1712 and 1741 in New York slaves revolted when they could not bear their plight anymore. As a result of their revolt they were arrested, overrun by carriages and burnt alive. (47)

In the American civil war (1861-1865) there were two parties, the Northern and the Southern states. The problem of slavery was the reason for this war in which 300.000 men from Northern and 500.000 men from Southern states were killed. 84 Crore pounds were spent on it, an amount big enough to set free all the slaves of the world without spilling a drop of blood. (48)

It was a crime if an American slave kept his own name. He had to mention the name of his Master as well. (99) The Southerners had enormously strict laws, teaching slaves was a great offence. A woman was tried in Virginia and convicted because she taught a slave girl.

This is the sentence of the Court:

"An infinitely embarrassing crime. Society has never been disgraced so much. A slave-girl reading the Bible? No enlightened society can continue to exist as long as this breaking of the law is not punished." (50)

In Britain a runaway slave was punished thus: If he tried it for the first time then his ears were to be cut and he was branded with a red-hot iron. In case he attempted escape a second or a third time he was to be put to sword. So it is not amazing that a great number of slaves were killed in England under this law. In France this condition did last till the revolution in 1848. (51)

A COMPARATIVE STUDY OF SLAVERY IN ISLAM AND THE WEST

The pathetic, legal and religious state of slaves in the west has been described. Yet the so called civilized world continues to criticize Islam, the Messenger of Islam ﷺ and the whole Arab world because of their attitude towards slaves although the condition of slaves was all over the world like that of animals and hogs, they were victims of all kinds of gruesome oppression.

French Christian historian Gustave Lebon gives the following account of slavery in Islam. Under the title "Slavery in the East" he writes:

"When our European readers hear the word slavery they automatically visualize a group of slaves in fetters who, instead of a healthy diet get lashed and who live in prisons, not in houses. I do not want to verify whether this is the condition of slaves in England or America, neither I want to argue whether those slaves are maltreated by their master or not. I just want to say that the condition of slaves in Islam is a completely different one, unlike that of slaves owned by Christians. The condition of slaves in the east (i.e. Islamic countries) is better than that of regular domestic servants in Europe. They were always considered to be a part of the family. They even could, as stated above, marry the daughters of their masters and attain high ranks. In the east the word "slave" does not have any connotations of inferiority. One could go so far to say that the eastern slave equals his master in many aspects. All travellers who got an insight into the institution of slavery in the east agree that all the ado in Europe against slavery is absolutely baseless. The proof for this is, that in Egypt where it is sufficient for a slave to state that he is free to become free indeed, hardly any slave desires to be free. "

Mr. Aibrese states:

"We simply cannot hide the fact that the life of slaves in Islamic countries is a life of comfort and ease." (52)

The Arab Fadil Muhammad Kurd Ali quotes in his book "Al Islamul wal Hidaratul arabiyyah" one of Faltery's statements:

"All European travellers agree that the Muslims whether they live in cities or villages treat their slaves much better than what is generally assumed in Europe. It is not fair to compare slavery in America and slavery in Islam. If we look at this problem from the historical point of view then it becomes obvious that Sayyidina Muhammad ﷺ is superior also in this matter. He stated: 'None of you should say 'my slave' or 'my slave-girl' rather he should say 'my son' or 'my daughter'. 'What could be more humane than this?'" (53)

THE GREATEST UPHOLDER OF THE RIGHTS OF SLAVES

After examining the history of the world's great civilizations, great religions, the present day self-declared upholders of human rights and their attitude about treatment of slaves, forced slavery, their cruel and oppressive teachings about slavery, the flourishing slave trade and the stupefying number of slaves, we shall take a look at the instructions which the Greatest Benefactor of the Mankind Patron of slaves, the Messenger of Islam ﷺ gave concerning slaves, on the occasion of his last Hajj. In March 632 he addressed a gathering of more than 100,000 devoted followers, leaving for them the greatest declaration of human rights ever, and in this eternally valid message of his he finished the distinction between master and slave for all times to come. He said emphasisingly.

"Listen! Your slaves, your slaves! Feed them what you yourselves eat and dress them with what you dress yourselves."

To make Sayyidina Bilal Habshi, Sayyidina Sulaiman Farsi, Sayyidina Sohaib Roomi equal to other members of society was such a revolutionary step which stands unmatched till today. The point to prove the above statement is that the Noble Prophet ﷺ declared all humans to be equal with regard to their rights and their social status. No one was entitled to preferential treatment because of belonging to a noble, honorable family. A human being was to be judged by the nobility of his character and

his virtuous deeds alone. No one could be favoured so much as to hurt someone else's fundamental rights. At that time even the forces of disbelief could perceive those revolutionary steps.

The Khutbah which the Greatest Benefactor of Mankind, the Prophet of Mercy ﷺ gave is a document dating back to the period which is known as "Middle Ages". To compare the teachings of the Holy Prophet ﷺ with the barbarious treatment of slaves in a savage and uncivilized Europe does not require any report of victims. Just reading what the great historian S.P. Scott has to write shall suffice:

"Those poor porters were counted among the animals. The law valid at that time included peasants in the assets of an estate, like bricks, stones, trees, bushes and so on. Night and day they were made to work. They were made to live with animals. They wore a metal chain around their necks. They had no rights. They were not even acquainted with the word "freedom". Their state was pathetic and destitute. The wrongs and oppressions slaves had to bear in the middle ages have no match in the world's history." (55)

The well-renowned Hindu-Scholar Lala Shyamnath writes in his essay "Sayyidina Muhammad's ﷺ check on slavery" the following while referring to the Holy Prophet's ﷺ teachings about the rights of slaves and the baseless accusations made against his noble person:

"No doubt Islam brought countless betterments along with it. It demonstrated its zeal to serve mankind. Its efforts concerning check on slavery are also highly appreciateable. Slavery was mankind's greatest curse. God alone knows when this accursed institution came into being. Thousands of years have passed and still it raises its ugly head anywhere in the world. Some 150 years ago this darkness enveloped everything. Well, this institution is a very old one, it is found in every nation. Also slave trade is not a new thing, but the high degree of effectiveness and organization which the European traders reached, the bravery,

shamelessness and perfection with which they ran their market has no equal in the world's history."

People of Europe regardless whether they were English, German, French, or Dutch invaded Africa, caught thousands of natives, forced them on boats and brought them to America in a manner so bad, not even beasts are treated like that. Africa was their hunting-ground for slaves. Those stone-hearted fellows raided one settlement after the other, stuffed their ships in the worst of manners, without even providing food and drink to their human prey. The arduous journey and the crowdedness caused many to die already before they reached their destination. Those who survived were sold for a considerable sum, a great profit for the traders.

In the Roman Empire which is considered to have been a great civilization, slavery was practiced at its worst. Their masters burdened them with such strenuous work that many of them died from exhaustion. Those who survived were treated worse than animals. Their skin fell off due to excessive lashing, but there was no one to hear their complaints. Many slave owners would brandish their slaves for minor faults, burn them alive or drown them.

The slaves of India, which are now, after many political efforts slowly gaining their freedom, had to bear tremendous hardships for thousands of years. They were deprived of all kinds of worldly comfort. Even today they are not allowed to enter temples or to use public roads or to drink from public wells. Everywhere in the world slaves had to bear incredible hardships. No one was thinking of slaves as human beings, or caring for their well-being and comfort. Earth was hard and heaven was far, far away. At last God took pity on them and caused Sayyidina Muhammad ﷺ to be born on the hot soil of Arabia. He was the first to take steps for easing the burden of that oppressed class. The roots of slavery were deep, every household, every family had a slave. The success of their business, the yield of their plantations and the prosperity of many other things was dependent on them. Therefore, instead of freeing them, has the Holy Prophet's ﷺ has started to censor slavery, he contempted slave traders so severely and continuously that slowly a revolution started

to take place in Arabia. People became afraid to buy a slave, thus one root cause of slavery which churned out troops of slaves and spread them all over was finished by the Holy Prophet ﷺ.

THE INSTRUCTION TO TREAT SLAVES WELL

Along with that the Holy Prophet ﷺ ordered the good treatment of slaves, too. This was something unheard of. Slaves were considered to be the vilest of creation. Keeping honour and good treatment aside, they were not even considered worthy of enjoying comfort and ease. But the Holy Prophet's ﷺ voice was not like any ordinary voice, which is lost in the vastness of space. It had to have effect. The first who paid attention to it were the Muslims, whose number and power was ever on the increase. The condition of slaves did also improve. The Holy Prophet ﷺ ordered the Muslims to fear God with regard to slaves. Whatever you eat give them also to eat and whatever you wear give them also to wear. Do not hurt them. Do not burden them beyond their capability. He also said that someone who abuses a slave will not enter Heaven. The result of these teachings was that only the name of slavery remained. Master and slave stood side by side to offer their prayers. Slaves started to participate in battles, became soldiers, married and all doors to lawful livelihood and prosperity were opened for them. Their former hardships were over, now they were like their master's children, they were showered with love and affection.

There were several types of slavery. The greatest source which always continued to provide an influx of slaves, was war.

The conqueror would, in general, enslave the conquered people and distribute them among his dignitaries. Because the number of slaves was constantly increasing, they started to be sold by traders. Those who were of high and noble birth had to live as slaves, had to work like other slaves, too. Sometimes they were fortunate enough and they were set free. If a philosopher and sage like Plato could be imprisoned and made to work on the fields, then what must have been the state of the common people.

Sometimes highway men would attack a caravan, capture people and sell them as slaves. Once they became slaves their former life was nothing but a memory. All the pleasures enjoyed by him were gone and never to return. No civilization, religion or nation was spared from the curse of slavery. The whole creation was plunged into a whirlpool of disasters. Surely it was a great favour which the Muslims did to the world, the creation and time when they let a voice of sympathy and mercy sound through the vastness of space. This voice was the voice of Islam. In the Holy Qur'an there are very clear injunctions regarding slaves:

If you fight then take them as prisoners. Then either let them go in grace from take ransom from them. Do not hurt them. The Muslims acted according to the injunctions in the Holy Qur'an and according to the orders of their prophet ﷺ. The result of these teachings was that the captives of the first battle the Muslims fought were treated with extraordinary kindness. Sir William Muir writes: "The Sahaba went on foot and let the captives ride on camels. The Sahaba remained hungry but they would take painstakingly care that the captives get to eat their fill."

TREATMENT OF CAPTIVES

The Muslims let their captives who were bitterest enemies of Islam, arrange for ransom to buy their freedom. Those who had nothing to give were set free under the condition that they would teach some illiterate Muslims the art of reading and writing. One prisoner who had neither any ransom to offer nor could he read and write, offered the Holy Prophet ﷺ to send some money from home. On this the Mercy for the worlds ﷺ let him go. One man said that he was a poor man, having young children to take care of. If he was imprisoned for longer, his children would suffer a lot. Hearing this moved the Holy Prophet ﷺ. He took pity on him and let him go after making him promise not to fight the Muslims. What an outstanding example of generosity and mercy towards prisoners of war this is: One just cannot laud it enough. Yet, even after so much generosity some prisoners were left. Well, they came from the ranks of the enemy, they were thirsty for blood

and letting them go was dangerous, but they were treated brotherly. The Holy Prophet ﷺ concern for slaves and captives was so great that even in his last moments he did not forget them and willed that they be treated well.

EMPHASIS ON FREEING SLAVES

The Holy Prophet ﷺ caused a great number of slaves to be set free by a very simple, yet highly effective means. He declared the freeing of slaves to be expiation of some sins. He stated that setting them free brings a tremendous reward in the Hereafter. Also in the Qur'an is mentioned to be good to the prisoners of war. If they are not able to pay ransom, they should be set free without it. The tribe of Banu Hawazun let altogether 6000 prisoners of war go without taking any ransom from them. After this there is no instance found that the Holy Prophet ﷺ made slaves.

Once a Sahabi beat a slave girl because due to her carelessness a goat or a sheep was stolen. This act of the Sahabi was against the religious code. The woman related the incident to Sayyidina Muhammad ﷺ who was deeply grieved to hear about it.

A Roman slave could be skinned because of a minor lapse, and in Islam simply slapping a slave was declared to be a sin.

This is an irrefutable fact that Muslims started to care for their slaves like for their own children, due to the teachings of the Holy Prophet ﷺ. A slave was just like any other member of the family. This went so far that the slave of Sayyidina Muhammad preferred staying with his master over staying with his parents. The Holy Prophet ﷺ had a slave-boy. The boy's father found out about his whereabouts after a very long period of time. He came to Medina and offered the Holy Prophet ﷺ ransom for the boy. Allah's messenger ﷺ immediately set the boy free. The boy started crying that being Sayyidina Muhammad's ﷺ slave is dearer to him than the love of his parents. On this the father returned. One more boy, Anas, said that he served the Holy Prophet ﷺ for 10 years. For all the time he lived like a family member. He ate whatever the Holy Prophet ﷺ ate and wore whatever the Holy Prophet ﷺ wore. Not a single time was he scolded.

Zaid was also the Holy Prophet's slave. He was married by Allah's messenger ﷺ to Hizr Zainab, the cousin of Allah's messenger. This girl who belonged to the noblest family among the Arabs and was married to a slave.

The Holy Prophet ﷺ set a slave, Sayyidina Usama at the head of a whole army of noble men, but no one even thought of disobeying.

A SLAVE BECOMES A MASTER:

Sayyidina Bilal is a well-known companion of the Holy Prophet ﷺ and was his Muazzin, too. When he expressed his desire to get married, the noblest of Quraish were offering him their daughters. When he died none less than the great Caliph of Islam, Hizr Umar remarked: "Today our leader has left us". This is a true picture of slavery in Islam and the spirit of equality in Islam, that rulers proudly call slaves their leaders, in front of big gatherings. The conditions of slaves in the age of Islam was actually better than that of free person. They were treated with honours in every respect. They held high posts, they were considered as brothers by Muslims in every angle of life.

Muslim slaves ruled our Egypt and India with such might that not even a wild and brave nation like the tartars could not defeat them. Great mighty rulers and accomplished saints were born from slaves. One can say that Islam raised the status of slaves from the depths of disgrace to the highest heavens of honour, made them like kings.

In Europe France passed in the year 1794 a law declaring slaves to be free, England followed in the year 1833. But Islam has done a better service to mankind already many centuries before. Does the twentieth century Europe have anything to match this largeheartedness and tolerance? Neither Europe nor any other part of the world has. This honour belongs only to Islam. (56)

THE HOLY PROPHET'S ﷺ TEACHINGS ABOUT THE RIGHTS OF SLAVES AND THEIR INFLUENCE ON ISLAMIC HISTORY

How did the teachings concerning the rights of slaves and their status which the Holy Prophet ﷺ stated during his Khutba Hujjatul Wida influence the society during his

life time and what effects did they have afterwards? What status did slaves have in Islam and Islamic history?

Lalah Shyamnath's statement concerning these questions is very close to reality. He writes in his essay "Sayyidina Muhammad's ﷺ check on slavery":

"This was the first call of its kind. Slaves were thought to be the meanest of creatures, leaving aside honour and good treatment, they were not considered worth of enjoying comfort and ease. But the Holy Prophet's ﷺ voice was not like any ordinary voice which is lost in vastness of space. It had to have effect. The first who paid attention to it were the Muslims whose number and power was ever on the increase. The condition of slaves did also improve. The Holy Prophet ﷺ ordered Muslims to fear God with regard to slaves. Whatever you eat give them also to eat, whatever you wear give them also to wear. Do not hurt them do not burden them beyond their capability. He also said that someone who abuses a slave will not enter Heaven. The result of these teachings was that only the name of slavery remained Master and slave stood side by side to offer prayers, slaves started to participate in battles, became soldiers, married and all doors to lawful livelihood and prosperity were opened for them. Their former hardships were over, now they were like their master's children, they were showered with love and affection."(57)

One more Hindu Scholar, Mr. Balader Saha writes:

"The messenger of Islam ﷺ gave the world a message through the Muslims, to fear God with regard to slaves. As a result of these teachings, a great personality like Sayyidina Umar, after becoming Caliph, once when he was on a trip to Jeruslam, rode for one station the camel and for one station his slave rode for one station the camel. There was not the slightest degree of slackness in implying the teachings of the Holy Prophet ﷺ."(58)

Rama Bhagwan writes:

"In the olden times slaves were the most oppressed, tyrannized and despised class. Slavery

and poverty have expelled them from the human community. But the leader of the world ﷺ taught to treat this oppressed class well. His teachings were exemplary for the whole mankind. Sayyidina Bilal was a slave, yet he was called master. Sayyidina Suhaib was given the rank of an imam. Sayyidina Zaid bin Harith and Usamah bin Zaid were slaves, yet they were assigned the post of a commander of an army." (59)

The author of "The Prophet of Islam ﷺ" Ram Krishna Rao writes: The prophet of Islam ﷺ caused so tremendous changes to take place, that the noblest chiefs of the Arabs offered their daughters to Sayyidina Bilal, when he expressed his desire to marry. The second Caliph of Islam, who is known by the name Umar Farooq, has, whenever he met this slave, immediately got up from his seat to honour him and welcome him with these words: 'Our teacher has come, our master has come.'" (60)

Dr. Marcus Dows, in spite of being extremely by biased, could not help but acknowledge the reality:

"Muhammad ﷺ was extremely affectionate and sympathetic. No doubt it was his sincere wish to improve the lot of the slaves. He ordered to treat slaves well. His last advice is of such tremendous importance that it is impossible to ignore. He said:

"See, whatever you eat give the same to your slaves to eat, too. Whatever you wear, give the same to your slaves to wear, too."

A slave who is thus protected religiously and legally can in the present understanding of the word, not be called a slave anymore." (66)

The Prophet of Mercy ﷺ taught mankind to treat slaves humane, along with his teachings to treat other oppressed groups well, too. He was the first to grant them human rights. Actually he granted so many rights to a slave and assigned so many duties to the owners of slaves in that the image of slavery has completely changed. The old master-slave relationship was abolished. Slaves were declared to be like any other family-member. The Messenger of Allah ﷺ granted the believing slaves a status

higher than that of the leaders of the Quraish. Sayyidina Bilal Habshi, Sayyidina Ammar Yasir, Sayyidina Salman Farsi, Sayyidina Suhaib Roomi, Sayyidina Zaid bin Harith, Sayyidina Khabbab bin Arat, all were outstanding Sahabis, and all of them were slaves رضى الله عنهم اجمعين. They were respected so greatly that the leaders of the Quraish would envy them.

There is one famous incident that once some leaders of the Quraish which included Suhail bin Amru, Abu Sufyan and Harith bin Hisham requested the second Caliph of Islam, Sayyidina Umar for a meeting. Along with the nobles of Quraish came some slaves, among them were Sayyidina Bilal, Sayyidina Ammar, Sayyidina Suhaib who were also all warriors of Badr. Sayyidina Umar first met the former slaves, letting the chiefs wait. Seeing this made Sayyidina Abu Sufyan, a noble man since the pagan days already, exclaim:

“Never was a day so difficult for me as this one, those slaves are getting an audience with the Caliph while we have to wait.”

Sayyidina Suhail bin Amru heard him and replied:

“I can very well see the expression on your faces. If you are angry then you should be angry with none but yourselves.

The common people were called to Islam and so were you. They ran ahead of you while you kept sitting. Listen, I swear by God that they have got a higher and more honourable rank in the sight of God than you because of their preceeding you in Islam. The grief of lacking back behind them in the presence of your Lord is far greater than what you feel today in front of this door where to you try to enter as fast as possible.” (62)

The English scholar J.J. Lake acknowledges this reality thus:

“It is a curious fact that while the people of the world were drowned in slavery, brotherhood and human equality were practiced in the Islamic world. At this time no Muslim could make his Muslim brother a slave. Non-Muslim captives would

practically become free after embracing Islam. Not only this but Muslims of all colours were treated equal in practice and theory." (63)

Famous Irish writer Dr. Bagot states in his speech:

"After studying profoundly different religious, I came to the conclusion, that Islam is the only religion in the world which opened up ways of prosperity for mankind and did the greatest service to mankind. It brought about many improvements in society, which will forever continue to benefit mankind. It attempted to raise the status of slaves so much, that their masters might become envious of them." (64)

The Greatest Benefactor of Mankind ﷺ laid great emphasis on freeing slaves. One Sahabi of the Holy Prophet ﷺ Sayyidina Abu Huraira narrates a Hadith to the effect that:

"Whoever sets free a believing slave, Allah will, in exchange for each limb of the slave, free one limb of him who freed the slave, from the fire of Hell." (65)

This saying caused the Sahaba Akram ﷺ to set slaves free in great numbers, sometimes even in thousands. Ameer Ismail has presented a table in Subulus Salam which gives the number of slaves set free by different Sahabis:

Ummul Momineen freed	67	Slaves
Sayyidah Aisha		
Sayyidina Abbas bin Abdul Muttalib freed	70	Slaves
Sayyidina Hakeem bin Hizam freed	100	Slaves
Sayyidina Abdullah bin Umar freed	1000	Slaves
Sayyidina Abdur-Rahman bin Auf freed	30,000	Slaves
Zawal Kilaa Humairi freed	8,000	Slaves(66)

Sayyidina Abu Bakr's name leads the list of these Sahabi, he set many slaves free. (67)

THE STATUS OF SLAVES IN ISLAMIC HISTORY

The details listed above make clear that Islam gave slaves a very high rank, granted them such rights that except for their connection with slavery, there was hardly any difference between their and their master's rights. All ways leading to prosperity were open for them and many slaves had a rank equal to, or even higher than their master's rank. Islamic history abounds with respect for slaves and their achievements.

Among the most prominent Sahaba are Sayyidina Bilal, Sayyidina Salman Farsi, Sayyidina Suhaib, Sayyidina Ammar bin Yasir, Hrz, Zaid bin Haritha, Sayyidina Saleem, Maula, Abu Huzaifah, Hrz, Khabbab bin Arat, and so on. All of them were slaves, but the chiefs of the Quraish would bend their necks before them.

Among the tabein there were Ikrimah, Said bin Jubair, Nafi bin Kaus, Muhammad bin Siren, Hassan Basri, Taus bin Kaisan, Ata bin Abi Rabah Makhul Dimashqi, Muhammad bin Ishaq, Abu Alalya Riakhi, Rabiatur-Rai and others, all of whom were slaves.

Among the Tabetabein there were Abdullah bin Mubarak Yahya bin Moin, Sufyan bin Aynayh, Imam Muhammad, Hammad bin Zaid, Laith bin Saad, Ali bin Almadin and others, who were foremost in the religious sciences. Noble Hashimites and Muttalibites came to them as students.

These few names were just cited as an example, otherwise from government to arts and sciences, education and instruction there was no field in which slaves did not have any achievements. Islamic history is permeated with the perfection and masterpieces of slaves. (68)

The consequence of establishing social equality and brotherhood among slaves and free persons was that both had equal opportunity to strive for knowledge. Their engrained perseverance, ability to work hard and personal order and fervour helped slaves to excel in various fields of learning. They were respected according to the degree of their knowledge. Great Sultans and rulers appreciated them and confirmed their respectability.

The era of the tabein is famous because many of the

centres of Islamic jurisprudence were occupied by slaves:

Abdur Ruhman bin Zaid bin Aslam states:

“When the three Abdullahs, i.e.e. Sayyidina Abdullah bin Abbas, Sayyidina Abdullah bin Zubair and Sayyidina Abdullah bin Amr bin al-Aas ﷺ passed away, the centres of Islamic jurisprudence were taken over by slaves: In Makkah there were Ata bin Abi Rabah, in Yaman Taus bin Kaysan, In Yamamah Yahya bin Abi Katheer, in Basra Hassan Basri, in Kufa Ibrahim Nakh'ai, in Syria Makhul Dimashqi and in Khorasan Ata al Khorasan who were considered great authorities of Fiqh, whereas in Madinah only Sayyidina Saeed bin al Musayyab was considered to be an Imam of Fiqh. He was from among the Quraish.

The great theoretical and practical achievements of slaves and their offspring and the admiration which the Muslims had for their perfection is another astounding luminous chapter of Islamic history.”(69)

For more information about this topic please refer to Muulana Saeed Ahmad Akbarabadi's book “The slaves of Islam”, Makkah Al Quraish, Lahore. 1987

THE LAST MOMENTS OF THE GREATEST BENEFactor'S OF MANKIND ﷺ PURE LIFE AND HIS INSTRUCTIONS ABOUT THE RIGHTS OF SLAVES AND THEIR STATUS

How greatly the Messenger of Islam ﷺ was concerned about the rights of slaves can be estimated from the fact that he, in the last moments of his life, dedicated special mention to this oppressed group.

Abdul Majid Daryabadi writes:

“The narrator of history states.... When the noblest soul which ever came to this world ﷺ left Madinah for his real hometown, then his last moments had already begun. His chest started heaving that those blessed lips may move and his close relatives and his attendants may listen. A testament of

tremendous importance was being uttered, yes, it was a testament, but neither to the favour of his beloved wife Aisha nor for the spring of his heart, his daughter Sayyidina Fatima, nor for his devoted Sahabis and Companions رضى الله عنهم, he said plainly and let so comprehensively:"

"The prayers and slaves!"

What does this mean? Well, prayer is the most important of all acts of worship and the leader of all prophets ﷺ naturally had to instruct us about it, but why slaves? In this last moments the Holy Prophet ﷺ was not concerned with his family members nor with affairs of the newly established state, but he directed his attention towards the oppressed and helpless slaves. Allah! Allah! How fortunate were those slaves! Think, and think once more what a high status slaves have thus got in history.

The word slavery automatically implied disgrace and worthlessness. Egypt, Iran, Greece, Rome and all other civilizations of the world could not deliver slaves from the torment of slavery. If already a poet eulogises him thus: '

"Guardian of orphans, friend of slaves"

Then it is actually not poetry, it is just reiterating facts. And it was the Greatest Benefactor of Mankind ﷺ who has said:

"These slaves are your brothers, whatever you eat, feed them also with it, whatever you wear, dress them also with it."

This is a concept of equality which no one else in history could have come up with." (70)

Maulana Daryabadi continues:

"Why has the story of Sayyidina Zaid bin Haritha told yet. He belonged to any Christian household and became a prisoner of war during childhood. Hakeem bin Hizam, a relative of Sayyidah Khadeeja, bought him on a business trip to Syria and presented him to the Holy Prophet ﷺ. As soon as he started proclaiming his prophethood, people started coming to him and accepting the new faith. That was the time when the Holy Prophet ﷺ

adopted Sayyidina Zaid as his son. After a long journey Sayyidina Zaid's parents arrived at Makkah, when they had finally found their son they naturally wanted to take him back home. The Holy Prophet ﷺ gave him the option. Sayyidina Zaid could decide completely on his own, but, and this came surprising for the world to hear, this freed slave refused to return back home and preferred to stay with the Messenger of Allah ﷺ. If this is not a miracle of affection and excellent treatment of a slave, what is it then?"

There was one Ansari by the name Abu Masood. As was the custom in Arabia he was beating his slave when suddenly a voice sounded behind him:

"On Abu Masood! Allah has more power over you than you have over this slave!"

When the Sahabi turned around to see who addressed him thus. It was no one else but the Messenger of Allah ﷺ, who further advised him to set the slave free.

In another tradition a Sahabi presented himself before the Holy Prophet ﷺ and asked "How often should I forgive my slaves mistakes?" The Holy Prophet ﷺ answered "70 times a day." Is there anything to match this kindness and mercifulness of the Mercy for the worlds? ﷺ Slaves would feel inferior because the word "Slavery" already implied disgrace and worthlessness. Mankind's Greatest Teacher ﷺ understood this very well and instructed people that:

"No one of you should say "my slave" or "Slave girl" but he should say "my son" or "my daughter." (71)

Slavery was the most burdensome yoke weighing down on the frail shoulders of mankind, and it was only Islam who relieved humanity of that heavy load. It apprised mankind of how tremendous a virtue it is to set slaves free, it stressed on the need to treat slaves with kindness and what is most important, a certain share of the annual income of zakat was fixed which would then be used to purchase slaves and free them. This distressed class of human has been receiving so many favours, an equal to which cannot be found anywhere in the history of the world. The only reason why the Messenger of Islam ﷺ did

not abolish slavery completely was that this pitiable class of people may continue to regain its lost freedom and that through it the chain of good deeds may continue until all the slaves of the world have been set free or until this usage has been extinguished all over the world.

CHAPTER 7**ESTABLISHMENT OF AN INTERNATIONAL
MUSLIM BROTHERHOOD AND THE
ANNOUNCEMENT OF THE RIGHTS
OF BROTHERS**

“People, for sure I fulfilled my obligation of delivering the message. Understand it well that every Muslim is the brother of a Muslim and the whole community of Muslims is one brotherhood. It is not lawful for anyone of you to seize his brother’s wealth unless he gives it happily on his own. There for do not transgress against yourselves.” (1)

This speech of the noblest of all souls ﷺ is of utmost importance. The Greatest Benefactor of Mankind ﷺ gave in it instructions to those devoted children of Adam who thirsted for guidance. He instructed them to keep away from all kinds of bias, nationalism, ancestral pride. His teachings followed one the other like beads on a rosary. He said:

“All Muslims are brothers”

Then he continued:

“The wealth of one’s brother is not lawful for anyone of you, unless he gives it with a happy heart.”

By this statement the protection of the right of property and estate was clarified. After declaring the whole Muslim Ummah to be one brotherhood the Holy Prophet ﷺ acquainted the newly established fraternity with the rights of brothers.

The well known biographer of the Holy Prophet ﷺ, Qazi Sulaiman Mansoorpuri states:

“Thus the Noble Prophet ﷺ united people of different tribes and races, countries and nations, rich and poor, conqueror and conquered, extinguishing all discrimination between them, he

united people of all colours and tongues, made them equal, like one body and one soul with the bonds of the only true religion." (2)

And as a matter of fact it was only the Greatest Benefactor of Mankind ﷺ who performed this great feat, which left even non Muslim scholars, historians, biographers deeply impressed. They cannot help but appreciate his achievement.

This very achievement impressed also Hindu-scholar Raja Radha prishad Suhana:

"To establish a brotherhood among different people of the world, apart from the teachings of the Noble Prophet, ﷺ has with greatest probability not been seen anywhere in the world at any given time. It is only the outcome of his wonderful teachings that the distinction of tribe and race was extinguished and all people became brothers of each other. Exactly his ﷺ endearing, idealistic teaching of brotherhood equality impressed me greatly."

And it is this agreeable teaching that affects the hearts of people. (3)

Due to the announcement of a world-wide brotherhood made by the Holy Prophet ﷺ could one see Sayyidina Suhaib Roomi, Sayyidina, Salman Farsi, Sayyidina Bilal Habshi and Sayyidina Ali Murtaza Al Quraishi standing in one row.

Due to this teaching discrimination on basis of race, geographical borders and languages were finished, love, brotherhood and unity became the foundation for a world wide fraternity. One Ethiopian was considered because of his piety and fear of God more honourable and respectable than the Chiefs of the Quraish, and slave has been declared to be the most entitled to head a world wide brotherhood. This overwhelming announcement of mankind's absolute and perfect equality and unity has cut the life vein of nationalism and racism.

Orientalist Phillip K. Hitti acknowledges the impact of this revolution, too. He writes:

"Since centuries this custom of Islam works as a highly effective power to achieve continuous unity.

Muslims of all kinds are united on basis of this highly effective force. The social impact of this great annual gathering cannot be exaggerated. These Ethiopians, Chinese, Syrians, Arabs, the rich and the poor, the higher and the lower become brothers of each other on basis of their common faith. It should be known that out of all the world's religions only Islam has been successfully breaking down the walls of colour, race and nationality.”(4)

The world today is looking for a brotherhood in which there is no discrimination between the people, no differentiation on basis of colour and race, in which the rich and the poor, the ruler and the ruled, the king and the beggar have all the same rights and enjoy all the same benefits. A brotherhood in which all people are equal members, in which there shall be unity and agreement peace and friendship, tolerance and concord for all times to come and in which no one's rights are violated.

To turn this vision into reality the people of the world will have to accept the teachings of Islam and the Messenger of Islam ﷺ as guidance. In fact, these are a means of guidance for the whole mankind and the only real interpretation of human nature.

THE RIGHT TO JUDICIAL PROTECTION, EQUALITY BEFORE THE LAW, THE RIGHT TO FILE A SUIT AND TO ACQUIRE JUSTICE

“Listen carefully! No criminal commits a crime but against himself. No son gets the punishment for what his father does and no father gets the punishment for what his son does.” (5)

Through this statement has the Greatest Benefactor of Mankind ﷺ granted the human race real legislative and judicial protection, in the form of the Islamic constitution. Therefore all citizens living under the protection of an Islamic country enjoy the same constitutional and judicial protection, equality before the law and the right to acquire justice, without any differentiation due to colour, race, religion or nation.

Oppressed mankind's cry for justice has been answered

with these sacred words:

“No criminal commits a crime but against himself.”

This teaching is the exegesis of the Divine Degree:

“And no carrier of a burden shall carry anyone else’s burden.”

That means none but the evildoer himself shall be punished for his transgression. This is the very demand of justice and the objective of humanity.

The teaching of the Holy Prophet ﷺ is in fact a verbal and practical interpretation of the Divine Degree, in which each member of the human race has been bestowed with judicial protection and the right to acquire justice, independent of his nation or religion and regardless of his being a ruler or a subject. To fully appreciate this magnificent statement of mankind's Greatest Benefactor ﷺ it is necessary to review the unequal division of society prevalent in Arabia during the days of ignorance and its man-made, unjust laws which differentiated between noble and mean, high-born and low-born and in which, if someone committed a crime, someone else was punished.

When it came to retaliation their theory was that it is insufficient to take the life of the killer in case the one killed was of noble descent and the former not. Thus a man of equally noble birth like the one killed was searched for in the tribe of the killer and his life would then be taken in retaliation.

This confused principle of justice was expressed thus:

“The murder of a nobleman can be retaliated only with the murder of an equally noble man.” (6)

The pagan poet Qirad bin Hanash As-Sadari sung during the days of ignorance:

“We have killed some people in retaliation who were better than them.”

Their blood is like a cure for our blood thirsty ones.”(7)

When a free man was killed by a slave it was considered insufficient to kill the slave in retaliation, the head of the slave’s master or any of the slave’s free relatives was demanded, too. And if any free person killed a slave, then no retaliation was taken from him, he just had to pay a

paltry sum as expiation. (8)

The Messenger of Allah's saying:

"No criminal commits a crime but against himself."

is in reality a refutation of the unjust and oppressive laws of the pagan days. Now all people were declared to be equal before the law. Which ever member of society committed a crime only he and no one else will be punished. The division of society into noble and mean was declared to be futile in matters of justice. All people were granted the same right to acquire justice, to file a suit in a court, and to judicial protection.

In the year 632, during the Khutba Hujjatul Wida declared the Holy Prophet ﷺ these rights to be inseperateable parts of the Islamic constitutions.

In comparison to this, today's so called standard bearers of human rights cannot come up with anything dating back farther than the Magna Charta which was signed in 1215 in England. And even this document was declared to be the beginning-point of history of human rights in the west very much later. It was implemented only from 1355 onwards, during the reign of king Edward, after it was revised and passed again. From then on it was known as "Due process of law." In the year 1679, after a long struggle the "Habeas Corpus" was sanctioned. (9)

Have a lose look at the orders given by the Greatest Benefactor Sayyidina Muhammad Mustafa ﷺ, back in the year, 632, in which mankind was granted complete legal protection and in which so precise instructions have been given that there is no room left for any whimsical interpretations suiting anyone's fancy.

The golden era of Islamic history has been set up from the society which the Greatest Benefactor of Mankind ﷺ established on these very principles stated in the Khutbah and also its implementation during the glorious rule of the righteous caliphs from 11.40.A.H. (corr. To 632-661 C.E.)

CALL TO PROTECT AND IMPLEMENT THE INJUNCTIONS GIVEN IN THE KHUTBA HUJJATUL WIDA

“And Allah will question me, and he will question you. Let him who is present convey my message to those who are not. It might be that they are better in preserving what told you. People listen! Did I not convey to you the Divine ordinances? Peace be upon you and Allah’s mercy.”(10)

The Greatest Benefactor of Mankind ﷺ did not just rest content with the formal proclamation of the rights of man in his Khutabah, rather he stated in the very beginning of it to clarify the need to preserve, excute and implement the injunctions given in it:

“Listen to what I have to say, you will be revived by it!”

To emphasis the importance of implementing and preserving his words he said again and again during the Khutbah:

“Did I covey the message? Allah be witness!

In one place he stated

“No doubt you will meet your lord and he will ask you about your deeds.”

Towards the end of his Khutbah there are the words:

“And Allah will question me and He will question you... let him who is present convey my words to those who are not.”

Is there needed anything more to preserve and implement the constitution for humanity, the Khutbah Hujjatul Wida. In no other charter of rights are found phrases which so strongly emphasize the preservation and implementation of the rights mentioned therein. Compare this to the United Nations Charter of Human Rights. Does it have any clause stating the need of its protection and execution? Does it have any clause granting legal support in case of the usurpation of any of the rights mentioned therein?

Further the UN-charter has got absolutely no sanctioning power behind it which would actually ensure

the implementation of the charter which was proclaimed by the General Assembly on 10.12.1948. And what did the UN and its various sub-institutions achieve? Did this charter really deliver mankind from the claws of tyranny and compulsion, dictatorship and fascism so that mankind may breathe in the plain of freedom? And did it give mankind the chance to enjoy its rights and freedoms?

As we have stated already, even western thinkers and legal experts are fully aware of the United Nation's helpless state and that of its declaration of Human Rights.

The Human Rights commission published one very sober report concerning the UN-charter. There in is stated:

“The commission admits to have no authority to take action regarding complaints concerning Human Rights.”(11)

Hans Kelson wrote:

“Seen solely from the legal point of view, then no country is liable to accept them, to adhere by them and to protect the rights and freedoms which have been stated in the beginning of this declaration.”(12)

After witnessing the real state of the UN and its charter also have a look at how morosely the west analysed future prospects.

“Due to these reasons it cannot be claimed that the United Nations legal preservation of the rights of man has got a bright future. The United Nations could not bring any positive results in the field of Human on rights and to expect that they will do so in the future is not very realistic thinking.”(13)

SUMMING UP

In the western world, the self-proclaimed interpreter of humanity, inviters to civilization and culture and standard bearers of human rights, in this part of the world the human rights movement did not start before the 11th century and it continues to evolve even today.

The western human rights movement culminated in the United Nations Charter of Human Rights signed on 10.12.1948.

Whereas the Islamic world can pride itself that the Greatest Benefactor of Mankind Sayyidina Muhammad ﷺ has presented humanity a perfect, fully implementable and fully sanctioned charter of human rights already in the beginning of the 7th century, in the year 632 C.E. He not only contended himself with a formal announcement but also ensured the implication and practicability of the human rights proclaimed by him by setting many examples himself and by encouraging others to do so, too. This happened at a time when the whole western world was steeped into darkness and ignorance, when culture and civilization were words completely unknown in the west. This sad condition led to the Middle ages being called Dark Age, Age of Ignorance and Oppression.

In Europe the Middle Ages lasted 800 years. They began with the decline of the Roman Empire in the beginning of the 5th century and the rise of Christianity, and they ended with the onsetting of Renaissance in the beginning of the 13th century C.E.

The academy of Plato which was for several centuries a means of spreading knowledge was looked up by Emperor Justinian in the year 529, after the rise of Christianity. Those treasures of knowledge, pearls of wisdom were stored away in the valves of the Roman Empire Acquisition of knowledge was declared to be unlawful. These misdeeds were not done only by the Emperors alone, they were just toys in the hands of the clergy, the real culprits in this case.

Pope Gregory declared ignorance superior to knowledge and gave a verdict that ignorance is the mother of piety. (14)

Robert Briffault writes about this age of darkness:

"From the fifth to the tenth century Europe lay sunk in a night of barbarism which grew darker and darker. It was a barbarism far more lawful and horrible than that of the primitive savage, for it was the decomposing body of what once had been a great civilization. The features and impress of that civilization were all but completely effaced. Where its development had been fullest, e.g. in Italy and Gaul, all was ruin, squalor, dissolution." (15)

It was the messenger of Islam ﷺ who was like a beam of light in this darkness. He had the honour of making mankind the gift of humanity, giving them a practical lesson of brotherhood and friendship and teaching them their rights and duties. He was the first to provide mankind a universal, highly comprehensive and unprecedented Charter of Human Rights, which he presented in the form of his historic Khutbah Hujjatul Wida. Till today and for all times to come this Khutbah will be the foundation of a prosperous Islamic society. Only through this charter did the till then steeped in darkness and ignorance western world get acquainted with culture and civilization and entered the historical era.

The well-known research-scholar and expert of international law, Dr. Hameedullah (France) acknowledges this historical fact in the following words:

During the time of Crusades (1096-1296 C.E.) Europe came under the influence of the Islamic culture and its political organization.

Walker says: 'The centralized force of Christian Europe learned the first lesson of co-operation and fellowship during the crusades. It was during these otherwise fruitless wars that they had a chance of deeply studying the administrative methods of the Muslims and to adapt them. Thus the "states" of modern Europe had their beginning in modifying and building on the basis of Arab-founded institutions. (16)

Keeping in view the difference of several centuries between the Messenger of Islam's ﷺ gifted human rights and attempts in this direction by the west, one cannot but acknowledge this irrefutable historical fact that it was only through the Holy Prophet's ﷺ sacred being that for the first time in the world's history mankind was granted such a highly practicable and fully sanctioned, such a comprehensive, eternal, exemplary outstanding declaration of Human Rights (which is far more preferable above all attempts of the so-called standard bearers of human rights due to its unprecedentedness and universality). No matter how much mankind is proud of it, it will be insufficient, it will not possible for man to appreciate this Greatest Declaration of the Rights of Man as it is due.

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